

Catholic Hospitals Win A Malpractice Suit By Saying Fetuses Aren't Really Human

David Ferguson, [The Raw Story](#) | Jan. 25, 2013, 10:44 AM | 6,358 | 18

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A chain of Catholic Hospitals has beaten a malpractice lawsuit by saying that fetuses are not equivalent to human lives.

According to the [Colorado Independent](#), in the death of a 31-year-old woman carrying twin fetuses, Catholic Health Initiatives' attorneys argued that in cases of wrongful death, the term "person" only applies to individuals born alive, and not to those who die in utero.

Lori Stodghill was seven months pregnant with twin boys on the day she died. The Independent reported that on New Year's Day 2006 in Cañon City, Colorado, Stodghill was admitted to the Emergency Room at St. Thomas More Hospital complaining of nausea, vomiting and shortness of breath. She lost consciousness as she was being wheeled into an exam room and ER staff were unable to resuscitate her.

It was later found that a main artery supplying blood to her lungs was clogged, which led to a massive heart attack. Stodghill never woke up, dying an hour after her admission to St. Thomas. Her twins died in her womb.

Frantic ER personnel had paged Stodghill's doctor, obstetrician Pelham Staples, but the doctor never answered. A wrongful-death suit filed on the twins' behalf by Stodghill's husband, corrections officer Jeremy Stodghill, maintained that Staples should have made it to the hospital or ordered an emergency Cesarean section by phone in order to save the 7-month-old fetuses.

Defending attorney Jason Langley argued in a brief he filed on behalf of the hospital chain that the court "should not overturn the long-standing rule in Colorado that the term 'person,' as is used in the Wrongful Death Act, encompasses only individuals born alive. Colorado state courts define 'person' under the Act to include only those born alive. Therefore Plaintiffs cannot maintain wrongful death claims based on two unborn fetuses."



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This would appear to fly straight in the face of the doctrinal teachings that purportedly govern the hospital chain's policies. Catholic Health Initiatives is a non-profit conglomerate organization that owns roughly 170 health care facilities in 17 states, with national assets totaling around \$15 billion.

Catholic hospitals purportedly base their ethical practices on the Ethical and Religious Directives of the Catholic Church, which were authored by the U.S. Conference of Catholic Bishops. These guidelines state that, "Catholic health care ministry witnesses to the sanctity of life 'from the moment of conception until death. The Church's defense of life encompasses the unborn.'"

Catholic Health Initiatives' promotional literature states that its mission is to "nurture the healing ministry of the Church" and be guided by "fidelity to the Gospel." The chain's refusal to dispense contraceptives, perform abortions or to offer end-of-life services has placed it at odds in business deals attempting to acquire secularly governed hospitals in the past.

[The Independent](#) wrote, "In 2011, the Kentucky attorney general and governor [nixed a plan](#) in which Catholic Health sought to merge with and ultimately gain control of publicly funded hospitals in Louisville. The officials were reacting to citizen concerns that access to reproductive and end-of-life services would be curtailed. According to [The Denver Post](#), similar fears slowed the Sisters of Charity of Leavenworth's plan over the last few years to buy out Exempla Lutheran Medical Center and Exempla Good Samaritan Medical Center in the Denver metro area."

Nonetheless, when it came to mounting a defense in the Stodghill case, the firm was clear that only people who are "born alive" count as "people" as under the law. The argument has won favorable rulings from Fremont County District Court Judge David M. Thorson and now-retired Colorado Court of Appeals Judge Arthur Roy.

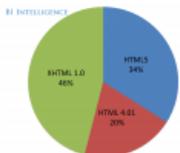
In September, Stodghill family attorneys appealed the case to the Colorado state Supreme Court, where it is expected to be heard in February or March.

Attempts to codify the belief that life begins at conception into law have been unsuccessful on multiple occasions in Colorado. So-called "fetal personhood" ballot measures have twice failed to win support from the public. The most recent attempt to put personhood on the ballot [failed to garner enough signatures](#) to be included on the 2012 ballot.

[Raw Story \(http://s.tt/1yTOs\)](http://s.tt/1yTOs)

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Typical Religious scum. They preach one thing, but totally abandon their beliefs for money.

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As soon as the woman went into cardiac arrest, shouldn't the hospital have had the where-with-all to initiate a Ceasarian?

I'm sure there are "procedures" to be followed and that a similar incident has occurred before?

Otherwise, all the doctors just stood around with their thumbs up their @\$\$&&\$ and let the "twins" die?

Premature birth/cesarian at 7 months is not unheard of at all.

Perhaps they were simply too paralyzed by the indecision due to the potential lawsuits if they went ahead with this initiative and it failed?

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