



Life on the Death Panel

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Arriving thirty minutes early was not enough to beat Dr. Vladimir Volkov, exalted Chief of Neurosurgery at Qbrick Medical Center. Illuminated by the embedded monitor at his place at the head of the conference table, his face had a deathly pallor. It improved only a little as he dimmed the screen and the ambient lighting system responded to my entry. As soon as I sat down, he withdrew a foot-high statuette from his brown leather briefcase and set it on the table.

“So, Dr. Gillespie, this effigy I received in the holiday gift exchange, did it originate with you?”

Fidgeting with the end of my tie, I regretted showing up early. “Actually, it’s supposed to be kind of a mystery. We used to call the exchange “Secret Santa” but somebody objected.”

“Is it supposed to represent me?”

I should have known he would not recognize Professor Schizo, the mad scientist from a popular movie and video game franchise who happened to share Dr. Volkov's distinctive bald crown flanked by fountains of white hair.

“Not at all. It's supposed to be more like an award statue, like the Oscar or the Emmy.”

He stared impassively. Even after three decades in the U.S., the man openly disdained American culture and rarely acknowledged humor.

“And the electrical cord in the figure's raised hand, what does it signify?”

“It's a joke. See the card at the base?”

“Oh, yes!” He plucked the card from the statue. “Pull it, sir, prize.” The man knew how to ruin a gag.

“You know. The journalism and literary award. It's a play on words.” Had I blinked, I might have missed the forced smile.

“I'm sure it's very clever. Thank you.” He put the statue back in his briefcase.

I sensed no actual gratitude or comprehension on his part. It may have helped to explain that his colleagues often referred to him as “Vlad the Plug Puller.” It may have made things worse. We passed the next 20 minutes silently perusing the patient files on the docket.

Officially, we were the Resource Allocation Committee at Qbrick Medical Center. Our weekly meetings primarily dealt with equipment procurement, pharmaceutical suppliers, staffing and other boring matters that keep a hospital running and solvent. Occasionally, we were called upon to take on weightier issues.

Over the twenty years since its enactment, the Affordable Care Act underwent many transformations. The intervening election cycles yielded ever more unfunded promises of coverage while technological advances created public demand for ever more expensive

treatments. Being the nation's premier center for nano-robotic treatments, Qbrick Medical had an unlimited demand for its services but a limited capacity to deliver them. The insurance industry had a very limited desire to pay for the pricey procedures, which often exceeded half a million dollars. This resulted in a form of triage, the rules of which Congress left to individual states. After some controversial decisions and renewed outcry against government "death panels," cowardly legislatures soon assigned the process to hospital boards.

Dr. Janet Spinoza arrived five minutes late, as usual. I tried to offset Dr. Volkov's grim stare with a welcoming smile. Being the only one in the room with Dr. Volkov was excruciating.

"Janet! How are things in pediatrics?"

Janet returned my smile tenfold. She had a soft round face with dimples and a mouth that projected good will and happiness. "Oh, you know, Jeff. Whiny. Smelly. Infinitely rewarding."

I was glad to hear her use my first name. It was our shared protest against the air of formality that dominated these proceedings.

Janet dipped her head to Vladimir. "Dr. Volkov."

The man only blinked in response. He had little tolerance for tardiness. He evinced little respect for her compassion and only a little more for my sense of ethics. Dr. Volkov was the cog of logic in our three-toothed gear, and I often thought he considered us impediments to the decision making process.

Mindful of her infraction, Janet quickly set down her things and activated the screen at her seat. "So, what do we have here today?"

I loved her accent. Her mother was Jamaican, her father Cuban. Though she knew better, her grammar sometimes slipped, but even that was delightful. She provided a much needed contrast to the funereal, Old World formality of our committee chairman.

Dr. Volkov gave his usual minimalist summary. “Two brain stem tumors and one upper spinal nerve damage. All three good candidates for nanobot treatments. We can only perform one given the time frames. The other two will have to wait and are unlikely to thrive.”

Janet sucked air through her teeth. “Seven-hundred and fifty thousand for nanobot? We could do all three patients using more conventional treatments.”

Dr. Volkov looked at me. Even if he and I used the same words, it was understood that Janet would be more receptive hearing them from me.

“The problem, Janet, is all of the outcomes would be compromised. The risk analyses show a high likelihood of collateral tissue damage and infection, poor delivery of compounds and long recovery time for surgery and other methods. The scores are essentially identical.”

Janet sighed. “Why does it always have to be this way?”

“It’s why we’re here. It’s also why we are exempt from keeping minutes. The rules of the committee allow totally free discussion off the record.”

“Thank God for that.” She furrowed her brow. “Okay. Gun to my head. Candidate B, the spinal cord one. Eighty-two years old?” She looked at me. “Male? Female? Other?”

I turned my palms up. “You know we’re not supposed to know about that.”

“Oh, right. I was just thinking in terms of life expectancy.”

Dr. Volkov rapped the tabletop with a pen. “That is considered in the overall score.”

Janet shook her head and pursed her lips. “I’m just thinking that one needs be taken out of the running.”

I looked to Vladimir. “Shall we vote on that?”

He nodded, elevated his nose and held his pen like a conductor’s baton. “All in favor of removing Candidate B from consideration raise your right hand.”

Janet and I looked at one another as we slowly raised our hands.

Dr. Volvik made a notation on a legal pad and muttered. “All in favor of keeping Candidate B under consideration raise your right hand. Janet and I watched, open mouthed, as he raised his hand and made another notation.

I checked the time on my phone. I had a flight to Tahiti at three p.m. and it was nearly 10:30 in the morning. My ethical side kept me from mentioning this but my human component felt anxious. “Okay. Well, what about Candidate A? I mean, no dependents or close relatives.”

Janet nodded. “I see what you mean. Candidate C has three young grandchildren. I mean, he may be older but, you know. That’s family.”

That triggered one of my alarms. I happened to know that Janet was having numerous family members stay at her home over the holidays. She surely wanted to get away to start preparing. Ethically, I had to put such concerns out of my mind, but we were friends. How could I do that?

The vote was unanimous. A was out. We were down to B versus C.

Janet smiled as if already smelling the aroma of jerk chicken and *lechon asado*. “Well then this is a no-brainer. C has grandbabies and B is too old. Let’s vote.”

We looked eagerly to Dr. Volvik, who sat with fingers steepled. Without a word he slid us each a piece of paper, printed side down. I slapped my hand over my copy. Before I could advise Janet to do the same, she read aloud. “Philanthropist Benjamin C. Putnam diagnosed with inoperable brain tumor.”

Snatching the page away from her, I stood and pointed at Vladimir. “This is an egregious violation of ethical standards. This negates the sanctity and validity of our committee’s mission!”

The man stared at me until it became clear he would not address me until I sat down. I sat, glancing only momentarily at Janet, who looked away, biting her lip.

Dr. Volvik addressed Janet first. “What else did you just learn about Mr. Putnam? What did you already know?”

She shrugged. “I saw that he recently donated two million dollars to this hospital. I already knew the pediatric wing was named for him.”

“Quite right.” He looked to me. “Same question.”

“You can’t live in this town without knowing the name and what he has done. It doesn’t justify giving him preference for medical treatment. That’s what this committee is supposed to prevent. It shouldn’t just be about the patient’s wealth.”

Dr. Volvik nodded. “I appreciate your high moral standard, Jeff.”

“I prefer ‘ethical’ and to you it’s ‘Dr. Gillespie’”.

He gave me that split-second smile. “Very well, Dr. Gillespie, but I should tell you I was involved in Mr. Putnam’s initial diagnosis. However, I was not directly informed of his identity for the purposes of this meeting. I just happened to know enough of his personal details to glean his identity from what is normally provided.”

“Then you should have recused yourself from this decision. Found a substitute.”

Vladimir leaned back in his chair. “There was no time. I only realized the likely identity this morning and, as you know, the committee rules require a minimum three-person quorum. Nobody wants this task. I certainly don’t, but it must be done in a timely manner.”

Janet waved a finger in the air. “Just a second. This Benjamin Putnam, billionaire, gives us a couple of million every year or so. Now, I’m just putting this out there as something to think

about. How much you think he's going to leave us when he dies? Hundred million? Two hundred million?"

Aghast, I turned to her. "Dr. Spinoza! Are you advocating we kill the goose?"

Janet looked momentarily confused then bade me to sit back down.

"I wouldn't put it that way, but, if we had, say, a hundred million dollars right now we could treat all three of these patients with the best possible outcome without all this grief. Besides, you told me yourself, each time we use this nanobot technology, the process gets better and cheaper. Having that money now will bring the future sooner."

"But that is just as fundamentally as wrong a reason as favoring him because he's rich!"

Janet shrugged. "Dr. Volvik hasn't exactly told us which one is Mr. Putnam. Has he?"

Her tone and expression made it clear that no words could change her mind. She knew as well as I did that candidate B was the rich man.

Dr. Volvik cleared his throat. "I propose a vote." He looked from me to Janet. "There being no objections, all in favor of eliminating candidate B from consideration, raise your right hand."

Janet avoided my gaze as she slowly raised her hand. I kept staring at her as I raised mine. I wanted her to know how much I resented the quandary she put me in. Her shocked expression made me turn to see Dr. Volvik displaying an upright palm.

He smiled a full second or more. "Then it is unanimous. Enjoy your holiday."

"What the hell, Volvik?"

He gestured to Janet. "She made a very compelling argument."

Seizing his pen, I scrawled a hasty note on the blank side of the paper in front of me and slid it to him. "My resignation."

Janet nudged me. “Good move, but I think we just voted ourselves unnecessary for the next few years.”

My colleagues looked at me as if expecting a pithy parting comment. The best I could do was state one thing I still knew to be true. “I have a plane to catch.”

Acknowledgements:

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