

Toddler forcibly removed from life support: a horrific end to a devastating ordeal

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-- Just days ago, two-year-old Israel Stinson was forcibly removed from life support at Children's Hospital of Los Angeles. I was on the phone with Jonee Fonseca, Israel's mother, when doctors disconnected his ventilator.

I could hear Jonee begging the doctors to wait just a few more hours until her family arrived to say goodbye to Israel. They refused. Then I heard her begging her son to breathe.

It was a horrific end to an ordeal that began over four months ago. Israel suffered an asthma attack and stopped breathing while being treated at a Sacramento hospital on April 2 of this year. He was resuscitated, but was placed on a ventilator.

Jonee called Life Legal for help when a second hospital declared Israel brain dead. Doctors at Kaiser Permanente Medical Center in Roseville, California said Israel's condition would soon deteriorate and that his heart would stop



beating even if he were kept on life support. They refused to feed Israel for over five weeks, saying that giving him a feeding tube would be "catastrophic."

Life Legal attorneys were able to obtain court orders in state and federal court keeping Israel alive until arrangements could be made to care for Israel at home. In order for that to happen, Israel needed two minor procedures to provide him with a breathing tube and feeding tube. Kaiser refused to perform those procedures.

A Catholic hospital in Central America agreed to accept Israel as a patient to do the procedures. In May, Israel was transported by air ambulance to Guatemala. He had to leave a hospital with state-of-the-art healthcare and travel thousands of miles to a developing nation to get the care he needed to survive.

After the procedures, Israel's condition improved markedly. Doctors did two EEGs, which showed active brain waves. Three separate doctors reported that Israel was not brain dead! Moreover, the doctors were so committed to saving Israel's life that they agreed to treat Israel without cost during the last few weeks at the Guatemalan hospital.

Jonee then began the arduous process of finding a hospital that would accept Israel temporarily while she arranged for him to be cared for at home. Children's Hospital of Los Angeles agreed to admit Israel after speaking with Israel's doctors about his condition.

However, shortly after Israel arrived at Children's Hospital, doctors threatened to end Israel's life. They refused even to look at the EEGs or examine Israel's movements in response to his mother's voice. They did not consider that Israel's condition in Guatemala had stabilized such that he needed no artificial means to maintain his heart rate, blood pressure, or body temperature. Jonee asked that a Los Angeles neurologist be permitted to examine Israel, as California's brain death statute requires an independent exam. The hospital refused.

Ten days ago, Jonee called me saying the hospital was going to remove Israel's ventilator the following day. I flew to Los Angeles to assist her in obtaining a court order. The judge ordered that Israel be kept on life support for three weeks to allow the neurologist to complete his exam. We also found a local attorney to work with Jonee going forward.

But the hospital immediately filed a motion asking the judge to dissolve the court order so they could terminate Israel's life as soon as possible.

Again, Life Legal attorneys fought heroically alongside Jonee, but ultimately the fight for Israel's life was lost.

So where do we go from here?

Last January, in a unanimous decision, the Nevada Supreme Court held that the state's brain death guidelines should be reexamined after a young woman was declared brain dead even though several EEGs showed that she had active brain waves. In that case, the woman died because the hospital refused to feed or treat her.

We have no ethical obligation to fight nature every step of the way in the dying process. However, these cases continue a very disturbing trend of medical professionals actually facilitating a person's death. Life Legal has represented people in several recent cases where hospitals and hospice facilities have tried to end the life of a patient with a brain injury because doctors or family members believed that person had no chance for recovery. In reality, however, the decision was made in haste, before the person's brain had a chance to heal. In two cases, young women were sentenced to death who, just weeks later, were on their way to a full recovery. This should NEVER be permitted to happen!

Please join Life Legal as we press on in the fight to protect vulnerable human life.

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