

LEGA NAZIONALE CONTRO LA PREDAZIONE DI ORGANI E LA MORTE A CUORE BATTENTE

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PIETRO TARANTINO

AN EMBLEMATIC CASE OF DANGEROUSLY EXPANDING TOTALITARIANISM IN THE HEALTH SERVICE FROM YESTERDAY TO TODAY

The diagnosis of “suspected fracture of the cranial base” given by the casualty department of Vaprio hospital changes, as if by magic, into the act of transferring the patient to another hospital with “suspected fracture of C2”. The first diagnosis, which was correct, gave the possibility of a lifeline, the second, so useful in declaring “brain death”, erased all hope and interrupted therapeutic treatment.

The charge of intentional homicide by explant dragged on through the judiciary courts for 14 years, exhausting itself to a probative incident, in anticipation of a standard trial. In the 5 years that followed, the re-opening of the case proved impossible due to a lack of necessary finances.

The “negated justice” is proof of the absolute power of the Health Service, which is presently expanding dangerously. We see this in, for example, the Bill for the phoney 'living will', in the “national network” of experimentation of palliative treatment and pain therapy, financed in the name of “dignity” laid down by law. Also in the presumption of inauspicious diagnosis/prognosis, and above all in the Intensive Care Unit where a patient is declared alive or dead with a beating heart according to the doctor's ideology and the social class of the patient; let alone counting the spur to the medicalization of life by means of predictive medicine and early diagnosis that have divided society into classes of sick people and guinea-pig citizens. So what are the guarantees in defence of the person's rights when the doctors have the last say on everything and the illness market is supported by a joint inter-institutional operative between the Health service, Parliament, school, and justice?

Law 578/93 is very grave as it imposes “brain death”. The Bill regarding the 'living will' is absurd because it does not contemplate the right to oppose “brain death” (declared in 6 hours).

Law 91/99 is very grave as regards the promotion of transplants, it does not allow for the event in which doctors that follow protocols can falsely certify “brain death” because of incompetence or fraud, and so does not provide any punishment for the crime. It is as if doctors are a class immune to errors and criminal impulses. If doctors do not respect the opposition to the explant of organs and tissue given by the citizen and the subject is killed, the law declares an imprisonment of between 15 days and 2 years, which means that the majority of cases are converted into a simple pecuniary sanction. The same inconsistent punishment for “whoever obtains without intent to gain (!) an organ or tissue taken unlawfully”: they never find this proof of gain. Furthermore for those that explant, retain, and transplant in non-authorized places an administrative fine is declared starting from €1,033.00.

So doctors can do anything they want, in virtue of a law that does not punish them and faced with a charge they simply prevaricate and do not proceed with the inquiry.

Remembering Pietro: Tarantino had an accident at about 7 o'clock on the 23rd March 1989. He was taken to the casualty department of Vaprio D'Adda (Milan) hospital and was transferred by helicopter to Bergamo hospital where he reached the neurosurgery department at approximately 9 o'clock, there he was assessed as being in a deep coma under Atropine, a drug which produces mydriasis (forbidden in brain death diagnosis). The doctor told the family that arrived at 11/11.30 that Tarantino was dead (sic) and asked for his organs: there was immediate opposition from the family. From his case history it is revealed that in Bergamo he was neither examined nor treated: they even removed the antiedemigeni drugs that were administered by the casualty department in Vaprio, standard and undisputed treatment in such circumstances; he was kept severely dehydrated and in severe hypoxia for the 24 hours that he remained in Neurology where straight

away from the first day urgent laboratory tests were requested “X EXPLANT”. Transferred with the stamp “ORGAN DONOR” to the Intensive Care Unit, where on 24th March the day preceding the so-called “coma dépassé” tests, an invasive and damaging coronary-angiography was carried out, targeting not the patient, but the valuation of the heart to be transplanted. The relatives objected, visiting the Police Headquarters three times. Secretly, lacking respect for the law, “brain death” was declared, illegally, on the 25th March and organ removal with beating heart took place unbeknown to the relatives. The heart and kidneys were unexplainably withdrawn with a “nulla osta” (Certificate of No Impediment) obtained from the Public Prosecutor's office, the pancreas was taken without “nulla osta” and, it was discovered following the autopsy, the liver and the aorta had been stolen.



President
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