



Elderly Couple Refuse Food, Water to Die; Get Evicted from Facility

By MIKAELA CONLEY

Aug. 18, 2011

At 92 and 90, Armond and Dorothy Rudolph's bodies were failing them. He suffered severe pain from spinal stenosis, a narrowing of the spinal column. She was almost entirely immobile. Both suffered from early dementia, according to their son Neil Rudolph. They wanted to die.

The Rudolphs, married for 69 years, decided to refuse food and water to end their lives. Although they lived in the Village at Alameda, an assisted living facility in Albuquerque, N.M., they maintained they had a right to die on their own accord.

Three days into their fast, the couple told their plan to staff at the facility. Administrators immediately called 911, citing an attempted suicide.

The Village evicted the couple, and the next day, the Rudolphs moved into a private home, where they again stopped eating and drinking. Ten days after he began the fast, Armond Rudolph died. Dorothy Rudolph died the following day.

"Both knew that they didn't want to endure a lingering decline," their son said. "Neither wanted to lose their independence."

The Village at Alameda staff refused to comment to ABCNews.com on the Rudolphs' eviction.

Marshall Kapp, director of the Florida State University Center for Innovative Collaboration in Medicine and Law, said there were several issues the facility likely considered after it learned of the couple's plan to refuse food and water.

"Legal apprehensions probably played a big part in their decision, along with the fear of bad publicity," said Kapp, who was not involved in the case. "A facility retains the right to evict somebody if they can't care for them properly most of the time, so you'd have to look at the contract they signed."

Even if the family and individuals signed off on refusing food and drink, Kapp said the Village at

Alameda likely feared being sued by the district attorney or the state regulatory licensing agency for possible neglect.

Because neither person suffered from a progressive medical condition that may have required a feeding tube to keep the person alive, "we're not talking about the usual kind of situation," said Kapp.

Despite the legal issues, Neil Rudolph, together with Compassion & Choices, an organization that seeks to improve care and expand end-of-life choices, is launching a campaign called Peace at Life's End. Anywhere. The initiative is meant to spread awareness of options, including the right to voluntarily stop eating and drinking to end one's life.

"Nearly 1 million Americans live in these facilities, yet most don't know how their end-of-life rights could be infringed upon as my parents' were," said Neil Rudolph. "Their eviction shocked me. I think it's inhuman for mentally competent adults to be overruled at the end of their lives by an assisted living facility administrator, or by anyone else."

"Stopping eating and drinking is peaceful and painless and people throughout the country don't avail themselves of it," said Barbara Coombs Lee, president of Compassion & Choices, in a press conference meant to kick off the campaign. "They turn to violent means and suffer needlessly, when this is legal and safe and available in every step."

Mentally Competent Adults Have Right to Refuse Food and Drink

Coombs Lee emphasized that Americans who are mentally capable of making an end-of-life decision should have the ability to die peacefully and with dignity, at home, surrounded by family and friends.

"Ethically and legally, there is no difference in withholding or not continuing a given therapy if started, whether this is hemodialysis, ventilator withdrawal or voluntary cessation of eating, as long as this decision is based on a patient/individual's decision," said Dr. Mohana Karlekar, director of palliative care at Vanderbilt University. "The Federal Patient Self-Determination Act assures competent individuals the right to refuse medical interventions, and it protects their right to determine when to discontinue medical treatment," said Rhodes. "People can decide for themselves to discontinue medical treatment, including artificial nutrition and hydration, even when that choice can be expected to hasten their death."

Dr. Joanne Lynn, director of the Center on Elder Care and Advanced Illness for Altarum Institute in Washington D.C., has argued against physician-assisted suicide as poor public policy and suggested that refusal of food and water is an alternative.

"Most ways of causing an end of life require the active participation of someone else, but stopping eating and drinking does not," said Lynn. "We allow people to do many very risky things, and we allow adults to refuse life-sustaining treatment. We have to allow this course, though whether the assisted living center or any other particular setting has to cooperate is much more challenging."

While starving of hunger and thirst may sound frightening to most, end-of-life specialists said it's actually a fairly painless way to end.

"Most individuals who voluntarily stop eating after several hours stop feeling hungry," said Karlekar. "They sometimes will feel euphoria due to metabolic changes in the body. And so, yes, it is a peaceful way to go."

Stopping Eating, Drinking Is 'Natural'

Rhodes said that several philosophers, including Bernard Gert, K. Danner Clouser and Charles Culver, have argued for refusing food and drink as a means of ending one's own life.

"The advantages are that it demonstrates autonomy, it imposes no burdens or dangers on others and it provides a peaceful death," said Rhodes. "And ... it is natural. Dying people often naturally start to refuse food and fade away."