A critical appraisal of the recommendation on the allocation of artificial respirators during the COVID-19 outbreak in Japan

Takeo Saio
Department of Internal Medicine and Psychiatry, Fuji Toranomon Orthopedic Hospital
K&S Consulting Office for Occupational Mental Health

Abstract

In March 2020, the recommendation on the allocation of artificial respirators during the coronavirus disease 2019 (COVID-19) outbreak in Japan (the Recommendation) was issued by a research group on ethical, legal, and social implications (ELSI) in Japan. Soon after, the Recommendation was introduced to the public by an influential bioethicist, who is one of the committee members of the governmental Novel Coronavirus Expert Meeting, during their press conference in April. The Recommendation compares the COVID-19 outbreak to a disaster, which justifies incorporating medical triage of COVID-19 patients to allocate respirators. It advocates not only withholding the use of artificial respirators from patients apparently in terminal stage, but also encourages the removal of respirators from patients whose possibility of survival are either extremely or relatively low, and gives the removed respirators to other patients whose possibility of survival are relatively high. We evaluated the Recommendation and found that: 1) it is essentially based on egalitarianism, however, the allocation policy of respirators is based on utilitarianism; 2) it might coerce patients to permit future removal of their respirators immediately before using them; 3) the policy of removing respirators from patients whose possibility of survival are extremely low resembles controversial passive euthanasia; 4) as it also admits the removal of respirators from patients whose possibility of survival are relatively or extremely low, its justifiability is dubious from the viewpoint of bioethics; and 5) its rightfulness is backed by collective intelligence and due process which could not guarantee its outcomes.

Rinsho Hyoka（*Clinical Evaluation*）. 2020；48(1)：161-6.