

The Heath Award

Thomas Wm. Mayo, JD

The death of a loved one can change us, but sometimes the death of someone we don't know can be more profound. For Thomas Wm. Mayo, JD, it introduced a new focus in his legal career and made him a respected bioethicist in Dallas.

That death occurred in 1982 when a local court in Washington, DC, assigned Mr Mayo to represent a dying cancer patient. The family had petitioned for a court order to end life support. "This was before there was any DC or federal law on the subject," Mr Mayo recalls. "Neither the medical system nor the legal system was particularly responsive in dealing with end-of-life decision making. We called family members and clergy to get statements about his belief systems and lifestyle, but before we could file a brief, he passed away."

Although it was years later that Mr Mayo became involved with medical-ethical issues, he never forgot that case. He since has served on six local hospital ethics committees, three human research committees, advisory boards for the Komen Breast Cancer Foundation, Maguire Center for Ethics and Public Responsibility, and the Xenotransplantation Project at the Baylor Institute of Transplantation Sciences, as well as the Program for Ethics in Science and Medicine at UT Southwestern Medical School. In addition, Mr Mayo is a cofounder of Dallas Legal Hospice (a pro-bono legal clinic for people with HIV infection and patients with terminal disease).

DCMS recognizes his contribution to medical ethics with the Heath Award, named in honor of the combined service and exemplary stewardship of Millard J. Heath and Robert L. Heath, former DCMS executive officers. The award honors a layperson who has provided outstanding leadership and service to medicine and to the Dallas community.

"Tom simply is the best healthcare lawyer in Texas," says Robert L. Fine, MD, chair of the ethics committee at Baylor University Medical Center. "He has been instrumental in the development of medical ethics programs across North Texas, and I shudder when I think about what many a hospital ethics committee would look like without his influence."

Mr Mayo moved to Dallas and became a professor at Southern Methodist University's Dedman School of Law in 1984. He began teaching healthcare law in 1988 and added a bioethics course in 1990. With that, his presence became more visible in the Dallas medical community.

"I felt I had an obligation to educate myself on what the prevailing attitudes and goals were at the beginning of life, end of life, transplantation, and experimentation, so I started volunteering for committees," Mr Mayo says. "I think these

kinds of boards and committees always benefit from lay participation. Beyond that, there's a tendency to transform ethical questions into legal questions and let the lawyers answer the legal question of what we should do. My response is the opposite. I would punt questions back into ethical ones—try to establish the ethical care and make sure the legal arguments are there to support it."

James A. Thomas, MD, cochair of the Ethics Committee at Children's Medical Center, got to know Mr Mayo 10 years ago while participating in an ethics discussion group. "I was quite taken by his mind and his heart," he says.

"Tom has a marvelous mind," Dr Thomas adds. "He is able to encompass a wide range of disciplines and bring his experience and reading to bear on very specific issues. He understands that what we discuss in committee meetings are real issues that people are struggling with. It's clear he's thinking about the human beings who are suffering."

While Mr Mayo works diligently to improve patient care in Dallas, more importantly, he is leaving a legacy through his teaching at the law school, and since 1994, also as an adjunct associate professor in the Department of Internal Medicine at the University of Texas Southwestern Medical School, where he teaches "Law, Literature, and Medicine."

"It's law and medicine students thinking about what it means to be a doctor, to be sick, vulnerable, needy, and to exercise the state monopoly—to practice law or medicine," he says.

Most important, Mr Mayo adds, the course helps develop empathy and humane instincts. "Despite the scientific advances and the machinery of medicine, it still comes down to two people and their ability to understand one another."

That ability to understand is at the crux of bioethics, and Mr Mayo hopes more physician involvement will improve the process. "I'd love to see more physicians get involved in the ethics committees of their hospitals, medical societies, and medical associations. It's rewarding work.

"These are hard questions and they require a major investment—psychic, emotional, and intellectual. It's human nature to find support for a quick answer if there's one to be found. But more often, it's ambiguous. Various participants benefit from knowing about that ambiguity."

And in doing so, physicians may get the opportunity to work with what many consider to be one of Dallas' great minds.

"Not only is he a walking encyclopedia of factual knowledge," Dr Fine says, "he has two attributes of even greater importance—wisdom and compassion." DMJ