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Catholic hospital says fetus defense was 'morally wrong'

David Gibson Religion News Service | Feb. 5, 2013

Legal advice trumped church teaching when a Catholic hospital in Colorado tried to defend itself in a wrongful death lawsuit by claiming that twin fetuses who died at the hospital in 2006, along with the mother, should not be considered persons.

After an uproar that prompted an investigation by Colorado bishops, the hospital Monday apologized and said attorneys for St. Thomas More Hospital in Canon City were "morally wrong" to make that argument, even though state law does not consider a fetus a legal person.

In a statement, the hospital's owner, Catholic Health Initiatives, reiterated its agreement with the state's bishops and its "strict adherence" to church teaching "that every person is created in the image and likeness of God and that life begins at the moment of conception."

At the same time, CHI argued -- with support from Colorado's hierarchy -- that the mother and her unborn twin boys received "exceptional care" and that "nothing done by doctors, nurses and other staff members would have changed this horrible outcome."

The lawsuit stemmed from a case on New Year's Day 2006, when 31-year-old Lori Stodghill, who was 28 weeks pregnant with twins, was rushed to the emergency room of the hospital with vomiting and shortness of breath. The woman suffered a heart attack in the lobby and died, the twins along with her.

Her husband, Jeremy Stodghill, sued but lost in two court rulings and has now petitioned to have the state's Supreme Court hear his case.

The hospital's lawyers initially argued that under the state's Wrongful Death Act, fetuses are not considered legal persons and cannot sue. "Although the argument was legally correct, recourse to an unjust law was morally wrong," CHI said. It added that the lawyers will not use the Wrongful Death Act in any future arguments, though the justices can cite the statute.

The Catholic bishops of Colorado -- Archbishop Samuel Aquila of Denver, Bishop Michael Sheridan of Colorado Springs and Bishop Fernando Isern of Pueblo -- met last week with CHI officials and said they backed CHI's statement.

They also pledged to work to overturn "unjust laws" like the wrongful death statute that do not treat a fetus as a legal person.

The bishops and CHI stressed their prayers and solidarity with Jeremy Stodghill "throughout a heartbreaking ordeal."

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