

1. Dr. Brian Goldman, *Can Health Workers Refuse to Treat Ebola Patients? Maybe.*

<http://www.cbc.ca/radio/whitecoat/blog/can-health-workers-refuse-to-treat-ebola-patients-maybe-1.2810271>

Hospitals across the country are working hard to make sure they're ready if a patient with Ebola walks through their doors. But some health care workers think they should have the right to refuse to treat anyone with the virus. You might be surprised to know that in some cases, they may just have the law and professional ethics on their side...

A 2010 paper written for members of the Ontario Nurses Association or ONA says provincial legislation gives health care and other workers a limited right to refuse unsafe work without fear of reprisal provided there are circumstances where the worker has reason to believe there is danger. For instance, they can refuse to work with any equipment or device that the worker is to operate or use that is likely to endanger himself or herself and others.

The worker can't refuse if the job is what they do ordinarily. So, a lab technician can't refuse to handle a blood sample from a patient with an infectious disease but could refuse to handle the sample if the suspected virus is highly infectious and if proper protective clothing and equipment are not provided. Clearly, that exception has bearing in cases of Ebola

The Importance of Communal Survival

2. Esther 4:13-16

And Mordechai said to respond to Esther, "Do not imagine that you will flee to the king's house, from all of the Jews. For if you are silent at this time, salvation and rescue will stand for the Jews from elsewhere, and you and your father's house will be destroyed! And who knows whether you attained monarchy just for a time like this?"

And Esther said to respond to Mordechai, "Go gather all of the Jews found in Shushan, and fast for me, and neither eat nor drink for three days, night and day. I and my servants will fast likewise. Then I will come to the king, against the rules. If I am lost, I am lost."

3. Rabbi Yosef Babad (19th century Poland), *Minchat Chinuch* 425:3

It is known that the Torah will not depend upon miracles, as explained by Ramban [Bamidbar 5:20], and it is normal for people to be killed on both sides in a war, and so we see that the Torah decrees to do battle despite the danger. If so, then the concern for danger is overridden in this case.

4. Talmud, Gittin 45a

Mishnah: One may not redeem captives for more than their market value, for the sake of *tikkun ha'olam*...

5. Rabbi Chaim David haLevi, *Torah sheb'al Peh* 16

G-d, who "shows the way for penitents" after they descend into the world of sin, did not choose to punish them with imprisonment. He is good and just. Although imprisonment seems righteous and just, it certainly is not good – not [good] in itself, because it involves removing human liberty, and not [good] in its results...

A Higher Communal Value?

6. Jerusalem Talmud, Terumot 8:10

We have learned: If groups of people are traveling on the road and they encounter non-Jewish bandits who say, "Give us one of yours and we will kill him, and if you don't then we will kill all of you," then even if all would be killed they should not hand over anyone. If the attackers specified a victim, such as Sheva ben Bichri, then the group should give him over and not be killed...

7. Rabbi Eliezer Waldenberg (20th century Israel), *Tzitz Eliezer* 9:17:5:8-9

It further appears to me that one could say this regarding a doctor: It is standard that the doctor, who knows diseases and ailments, provides necessary aid, and without this there would be great devastation for the ill and the healthy. Therefore, he is acting in a standard way, for the normal function of the world, and the risk involved in treating the sick is not considered "introducing oneself into forbidden risk"...

It further appears, in my humble opinion, that since the doctor does this to treat the sick for a living, he may introduce himself into possible danger for this. It is like the way the Torah permitted a worker to enter danger for his livelihood.

8. Rabbi Ovadia Yosef (20th century Israel), Yabia Omer 9:Choshen Mishpat 12:10

In our case, per expert doctors, the risk of donating one kidney is very low... it appears certain that one may donate... and there is a mitzvah, too...

Radbaz wrote, "Regarding saving property one should not endanger himself at all, but to save another's life, even at potential risk, one is obligated to save him." But Radbaz also wrote that one who introduces himself into potential danger to save another, even where that person is definitely in danger, is a pious fool. One must say that Radbaz distinguishes between real risk [to the rescuer] and small risk...

If the odds are inclined toward successful rescue without danger [to the rescuer], then one who does not rescue is in violation of, "Do not stand by while your brother's blood is shed."

Triage: Treating healthcare workers first?

9. Rabbi Chaim David haLevi (20th century Israel), Aseh Lecha Rav 7:53

Before the eyes of the determining authority was an additional, important point: the morale of the soldiers of the IDF. When a soldier knows that should he fall captive, the entire State of Israel would stand behind him to free him, then he will risk his life in battle without fear.

10. Rabbi Shaul Yisraeli (20th century Israel), Torah sheb'al Peh 17

Because they will go to war on a mission of the nation and for its sake, to defend the nation dwelling in Zion, there is an unwritten, understood obligation, that the nation will use every means at its disposal – within reasonable boundaries so as not to endanger national security – to redeem them, should they fall captive.