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Hatzalah of Waterbury Inc.

It was in or about 1965 that Rabbi Herschel Weber was standing outside the synagogue he attended in the Williamsburg section of Brooklyn when his companion passed out at his feet. While a call was immediately placed to "911", the unfortunate fact is that Rabbi Weber's companion passed away before assistance arrived. This incident alerted Rabbi Weber to the fact that, while the ambulance service providers were doing their utmost to provide quality emergency medical services, the existing resources were inadequate to provide the timely response necessary to save a life which was hanging in the balance or to minimize complications.

Presumably all are familiar with the biblical interrogatory "Am I my brother's keeper?" To an observant Jew, Halacha mandates that the answer is a resounding "yes"; observant Jews are obligated to assist their fellow man without regard to the individual's religious persuasion.

To an observant Jew, the obligation to save a life, Pikuach Nefesh, is a mitzvah mandated by the Torah and, aside from the three cardinal sins, the precept of saving a life overrides all other Biblical commandments and injunctions.

Recognizing his obligation to observe the mandate of Pikuach Nefesh, Rabbi Weber undertook to promote a telephone number which resident of the Williamsburg community could call when they were in need of an emergency medical service response; an alternative, if you will, to the "911" system. Despite the fact that, at least initially, the alternative service was only manned by Rabbi Weber, the service was promoted under the name of Chevra Hatzalah. From its inception, Chevra Hatzalah was uniquely constituted and qualified to respond to the needs of the observant Jewish community.

Rabbi Weber's concept obviously filled a need because the immediate response was that there was any number of individuals who volunteered to participate in this service. Additionally, it was not long before it expanded to encompass other neighborhoods in Brooklyn, Manhattan and, within a reasonably short period of time, throughout the City of New York.

The Jewish Community

To fully appreciate Hatzalah's contention that there is a need for an emergency medical service sensitive to the unique needs of the observant Jewish Community, one must first comprehend the constituency comprising the "Jewish Community".

Observant Jewry lives by an all-embracing code of law called the Shulchan Aruch, an authoritative and binding compilation of Biblical and Talmudic Law. For the Hassidic Jew and the Orthodox Jew, religious belief and unyielding observance of Jewish law are viewed as a matter of life and death. The Hassidic Jew and the Orthodox Jew are uncompromising in accepting the divine origin of the Torah and the obligations arising therefrom.

While in some respects, their practices may differ from those of the Orthodox Jew, many other observant Jews are equally committed to living their lives in accordance with Jewish Law.

The Observant Jew and the Outside World

By the very nature of the Observant Jewish lifestyle, Observant Jews often find themselves estranged from the outside world. The Observant Jewish Lifestyle is as foreign to many non-observant Jews as it is to non-Jews. In simplistic terms, this segregation can be explained as a function of differences in belief, custom, and tradition. To the Observant Jew, however, the segregation is a consequence of the Observant Jew's commitment to a oneness with G-d and to his/her uncompromising adherence to the dictates of Halacha.

The very stringent requirements of commitment to the Observant Jewish lifestyle are often incomprehensible to the outside world. While some perceive the Observant Jew's unyielding devotion to Halacha as inflexibility, others have unsympathetically characterized the Observant Jewish lifestyle as anachronistic or, in some instances, as anathema.

Observant Jews do not engage in proselytizing nor do they attempt to impose their beliefs or practices on others. All they seek is the opportunity to practice their religion without interference; a right guaranteed to them by the First Amendment to the Constitution of the United States of America. Unfortunately, the outside world's lack of familiarity with Halacha often results in intrusions, albeit usually inadvertent intrusions, upon the religious beliefs and/or practices. To minimize the risk of such intrusions, Observant Jews often feel compelled to limit their contacts with the outside world.

The separation between Observant Jews and the outside world is further fostered by problems in communication. While Observant Jews have varying degrees of proficiency in English, many Observant Jews communicate in either Jewish (Yiddish), in their native tongues, or in Hebrew.

While it might appear to be inconsistent with the prevailing pressures for integration and assimilation, Observant Jews, not unlike other communities, continue to feel most comfortable and secure amongst their own.

JEWISH LAW

Though Jewish Law mandates that virtually all Jewish Law is superseded by the overriding priority of saving lives, the typical medical emergency is not a life or death matter. Jewish Law distinguishes between that which is permissible in matters of health in contrast to that which is permissible when a life is at stake. Pursuant to the Shulchan Aruch, where a person's life is not in immediate jeopardy, but the person requires treatment to preserve his/her health, adherence to some Jewish Laws may be relaxed while the obligation to strictly observe other Jewish Laws continues.

In addition to their training as emergency medical technicians, personnel rendering, or attempting to render, emergency medical care to a member of the Observant Jewish Community require considerable expertise in Jewish Law so that they can make a reasonably accurate appraisal of the health hazard and then determine the appropriate treatment pursuant to the applicable Halachic criteria. Furthermore, their expertise in Halacha must be sufficiently acknowledged so that the Observant Jewish patient will recognize and accept their opinion as being authoritative; no mean feat when an Observant Jew is asked to violate a Jewish Law to which the patient has uncompromisingly adhered all of his/her life.

As inconceivable as it might be to one unfamiliar with Observant Judaism, Observant Jews have historically risked their lives, not to mention forfeited property, opportunity and their livelihood, rather than violate Halacha; this same commitment to Halachic Law by Observant Jews exists today. The only circumstance where Halacha permits non-compliance with its injunctions is in a life threatening situation and, even then, only under certain limited circumstances is the requirement to comply with all usually applicable Halachic Law suspended. In most cases only non-compliance with certain specified Laws is permitted and then only in prescribed ways.

While Rabbis go to great lengths to familiarize their congregants with the criteria permitting, in fact compelling, compromise of Halachic Law is permitted and when it isn't, compounded by the further issue as to the extent of the permitted compromise, those who throughout their life have devoutly avoided transgressing Halachic Law understandably are loath to make an exception. Many Observant Jews, while learned in Halacha, do not believe themselves to be competent to make Halachic distinctions as to whether circumstances permit or mandate a compromise of Halacha and, if so, to what degree. Others are so deeply committed to Halacha that any compromise of Halacha, under any circumstance, is repugnant to them; yet, even these may be persuaded by one recognized by them as authoritative in matters of Halacha.

There is a plethora of evidence documenting how Observant Jews have elected to die rather than transgress the dictates of Jewish Law. While such attitude is condemned as, in and of itself, constituting a violation of Halacha, and is probably incomprehensible

to the outside world, it is nonetheless demonstrative of the Observant Jews' commitment to the dictates of Halacha.

Rabbis have literally spent lifetimes interpreting under precisely what circumstances compromise of Halacha is permissible and in what manner procedures are permitted to be carried out so as to avoid violations of Halachic Law. Even in life threatening situations Jewish Law requires that the compromise be minimized compatible with the needs of conserving life.

In a time of crisis there is usually insufficient time to call upon the Observant Jewish patient's Rabbi for an opinion, yet the patient's chances for survival can be severely hampered unless the Observant Jewish patient has full confidence that the one attempting to render treatment has expertise in the interpretation of Halachic Law.

The Hatzalah member's expertise in the relevant rules of Halacha is widely acknowledged throughout the Observant Jewish Community. By virtue of the foregoing, the Applicant's members are in a unique position to influence the reluctant Observant Jewish patient to accept required medical treatment and, if necessary, to be transported to a medical facility when such transportation would, under usual circumstances, be violative of Halacha.

While it would take volumes to set forth all of the relevant Jewish Laws, to assist the Regional Council in comprehending how observance of Halachic Law is an integral element in the delivery of emergency health care services to the Observant Jewish patient, the Applicant urges the Regional Council to consider same in the context of "Modesty and Morality", "Jewish Days of Observance", "The Sabbath", and "Fast Days".

Modesty and Morality

By contemporary standards, the Jewish code of morality, modestly and segregation of the sexes, being extremely strict and rigid, is likely to be perceived by the outside world as antediluvian. Orthodox females are required to keep their bodies fully clothed from neck to below the knee-cap and to wear sleeves of at least elbow length.

The prohibition against interaction between the sexes, outside of marriage, is almost absolute and begins at infancy. The Observant Jewish woman may not be secluded with men other than members of her immediate family, nor may she have even casual physical contact with men (other than members of her immediate family). Clearly, it is traumatic for a female raised in such an environment to be physically handled by any emergency medical technician, even more so when the EMT's fidelity to Halacha and in the EMT's judgment, made on a case by case basis, that the EMT must examine, touch, or move her, can the Observant Jewish female patient be expected to be receptive to the assistance offered.

Similarly, men are forbidden to have any physical contact with women. In fact, most Observant Jewish men and women do not even shake hands with one another. When those not well learned in Halacha come upon a medial emergency they are oblivious to the fact that the nonchalant way they touch the Observant Jewish patient often brings about painful and uncomfortable reactions. It is only when the one attempting to treat the Observant Jewish patient is recognized as being authoritative in matters of Halacha that the patient will relax; the patient having confidence that the physical contact and treatment is not Halachicly forbidden.

Jewish Days of Observance and the Sabbath

Halachic Law prohibits, amongst other things, engaging in any form of labor of Jewish days of observance and on the Sabbath. The prohibition enjoins work of any nature; the operation of, or riding, in a vehicle; cooking; turning any electrical switch (even if only to put on a light); use of a telephone; turning on a radio or turning on a television; writing of any nature; carrying anything (including house keys) except in certain specially designated areas; carrying or spending of money; etc.

Under Halachic Law, violation of these injunctions is regarded in the most severe terms.

A medical emergency occurring on a day of observance or on the Sabbath may necessitate immediate action involving what would otherwise constitute a violation of Halacha. The decision as to whether the compromise of the Halachic mandate is permitted requires extensive expertise in Jewish Law coupled with experience and training in emergency health treatment.

The Hatzalah volunteer is trained and qualified to handle anticipated Halachic Law problems, including, but not limited to:

1. When and how to use the telephone.
2. Laws concerning various gradations of illness.
3. Whether a doctor may be called for advice
4. How to perform required treatment with a deviation.
5. Whether relatives can accompany the patient to the hospital, provided that

according to Halachic Law the transportation of the patient is itself permissible, and further provided no loss of time is involved in rendering the required and permitted treatment to the Observant Jewish patient.

Procedures on the Sabbath

Synthetic alcohol swabs may be used to cleanse the area of the skin prior to the injection. If only cotton is available, one should preferably pour the liquid directly onto the skin and then wipe it with dry cotton rather than soaking the cotton in the liquid and then applying on the skin.

The drawing of blood, when necessary on the Sabbath, should be done in the most direct, efficient, and painless way without a deviation (shinui). Disposable syringes may be used, and needles may be attached to them on the Sabbath in the usual way.

When cleansing a wound, an infected area should be cleansed by pouring the antiseptic solution onto the wound and wiping the wound with a dry material, preferably by synthetic swabs or dressing. If only absorbent cotton is available, then one should not soak the cotton in the antiseptic solution. Rather the solution should be poured directly onto the wound and then the cotton should be used to dry the wound.

The antiseptic swabs which are commonly used by ambulance personnel consist of a small plastic vial which, when squeezed, saturates the small cotton swab at the end of the vial and, unless time is of the essence and the other options are not available, would therefore be prohibited on the Sabbath because of squeezing (sechita).

If the bleeding is uncontrolled, one may apply a pressure bandage directly on the wound even though it will become discolored by the blood. When securing a dressing to a wound on the Sabbath, it is preferable to wrap around a "Kling" gauze bandage and secure it with a bow rather than using tape to secure the dressing. If one must use tape, it should be cut with a deviation (shinui).

When time is not of the essence, wrappers of dressings or syringes should be opened in a destructive fashion, torn in the middle, and disposed of immediately. Care should be taken to avoid tearing letters. In critical situations, the most direct, expeditious, and effective means should be used. Materials wrapped in cloth and sealed with tape should be removed by tearing or cutting the tape, and not by lifting to tape off the cloth if possible.

Fast Days

There are seven (7) fast days which Observant Jews observe annually. Halacha mandates that on Fast Days one is not permitted to ingest any substance not is one permitted to drink any liquid.

For an Observant Jew, violating a Fast Days is a traumatic experience and must be treated with great sensitivity. On Fast Days, when confronted with an incident involving an Observant Jewish patient, the EMT must be knowledgeable as to whether, according to Halacha, the patient's condition permits the patient to eat food, or take insulin, etc.

THE APPLICANT'S OPERATION

Applicant's Modus Operandi

Hatzalah of Waterbury is governed by a board of directors the membership of which is comprised of duly designated representatives of the communities which joined together to support Hatzalah's noble objective. The board of directors has engaged an Executive Director to manage the organization's day to day operation. This has proven to be an effective structure given the nature of the operation.

The Applicant is a "volunteer organization" in the classic sense of the term. No member of Hatzalah shall receive any compensation or remuneration for rendering emergency medical services on behalf of any person.

Hatzalah of Waterbury already has seven (7) members committed to responding to any medical emergency 24 hours a day 7 days a week, all of whom are Connecticut certified EMT's.

While all of the members have had rabbinic training, and many of them have been awarded Semicha, the Applicant has nonetheless appointed an Advisory Board of Rabbis, each of whom is a recognized authority in Halachic Law, to guide it in the proper and uniform interpretation and implementation of Halachic Law.

The Applicant's members, consistent with Hatzalah's established modus operandi, will be prepared to respond to calls for emergency medical assistance twenty-four (24) hours a day, seven (7) days a week, fifty-two (52) weeks a year. Hatzalah members will respond from their homes, businesses, synagogues, while shopping or while engaged in other endeavors; there will be neither "shifts" nor centralized crew locations. The Hatzalah members will, as is Hatzalah's practice, respond to calls using their personal vehicles; every member supplied with a transceiver, oxygen resuscitation equipment, a trauma kit and other necessary equipment.

Based upon Hatzalah's demonstrated track record, it is not unreasonable to anticipate that, within Two (2) to Four (4) minutes of the time the call is received, Hatzalah will have a response team on the scene evaluating the patient's condition and, where necessary, initiating life sustaining/life saving measures. This claim is corroborated by our established track record in Waterbury as well as in other areas where Hatzalah operates.

In anticipation of the possibility that the patient may require ambulance transportation, simultaneously with the dispatch of Hatzalah's response team the dispatcher will always call 911 if not done so by the patient already. Where a call requires an ambulance response, pending the arrival of the ambulance the first responders, who responded directly to the scene, would be concentrating on stabilizing the patient or otherwise tending to the patient's immediate needs.

The Benefit to the Community

Hatzalah is not oblivious to the fact that it has been suggested that the Applicant will only treat and/or transport Jews. Hatzalah takes this opportunity to categorically reject such premise. In fact, should anyone harbor any doubts in this regard, Halacha specifically addresses the issue of the compromise of Halachic Law to save the life of a non-Jew. Reciprocally, while Hatzalah will stand prepared to respond to any call, there is no question but that a significant factor for its creation was to serve the special needs of the Observant Jewish patient, a patient which Hatzalah is uniquely well qualified to assist.

The question has also been posed as to how Hatzalah foresees its integration in the Cities EMS system. As explained, while Hatzalah is eager to contribute to the improvement in the delivery of emergency medical services in Waterbury, Hatzalah believes it would be premature to speculate as to whether our integration into the EMS system is feasible and, if so, on what basis. We believe that prudence dictates that this issue be re-evaluated after a track record can be established.

The foregoing notwithstanding, Hatzalah will stand ready to offer any assistance it can should the need arise. While Hatzalah prefers to avoid publicity, Hatzalah's presence on the scene of a disaster is well documented. While Hatzalah of New York is not a participant in the New York EMS system, it has nonetheless often been one of the first, if not the first, on the scene when a crisis struck. Only recently Hatzalah of New York was commended for its efforts with respect to the World Trade Center explosion.

Insurance

Hatzalah recognizes that, notwithstanding its altruistic *raison d'être*, we live in a litigious society. While it believes that its operations, other than liability arising from the operation of a motor vehicle, would be covered by the immunity extended by §3013 of the Public Health Law, the Hatzalah will operate with General Liability Insurance.

Funding

Hatzalah's operations will be financed solely through voluntary contributions solicited, as been Hatzalah's practice since it was created by Rabbi Weber, in the shuls/synagogues attended by the Observant Jewish Community. The experiences of Hatzalah, Chevra Hatzalah of Rockland County, Kiryas Joel, and Catskills Hatzalah convincingly demonstrate that Hatzalah should not encounter any difficulty raising sufficient monies to cover anticipated expenses and to fund its projected operations.