

BEN SARBEY

Department of Philosophy
Duke University
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EDUCATION

- May 2025 **Ph.D., Philosophy, Duke University**
 *Dissertation: **Dying Well and the Role of Palliative Care***
 Certificate in College Teaching
- May 2025 **M.A., Bioethics and Science Policy, Duke University**
- 2017 **J.D., Duke University School of Law**
 M.A., Philosophy, Duke University
 Article Editor, Duke Environmental Law and Policy Forum (2015-2017)
- 2012 **B.A., Philosophy, Political Science, University of Florida**
 President, Undergraduate Philosophy Society (2010-2011)

RESEARCH AND TEACHING INTERESTS

- Primary:** Health Law; Elder Law; Torts; Bioethics; Professional Responsibility
- Secondary:** Jurisprudence; Medical Malpractice; Science Law; FDA Law

PUBLICATIONS

10. (Accepted) “**U.S. Medical Aid in Dying Law: Safe and Inaccessible**”
 Annals of Health Law and Life Sciences
9. (Accepted) “**The Legal Status of DNR Tattoos**”
 Elder Law Journal
8. (2024) “**The Advantages of the Higher Brain Criterion for Determining Death**”
 American Journal of Bioethics, 24(1):1 118-121.
7. (2024) “**Assisted Dying Programmes Are Not Discriminatory Against the Dying**”
 Journal of Medical Ethics, 50(2): 115.
6. (2023) “**Rethinking Data Collection in Medical Aid in Dying: Quality Improvement as the North Star**” (with Sean Riley) *Journal of Aid-in-Dying Medicine* 1(1): 90-103.
5. (2023) “**U.S. State Laws on the Determination of Death by Neurologic Criteria**” (with

Nita Farahany and Samuel Thumma; first author) in *Death Determination by Neurologic Criteria: Areas of Controversy and Consensus*, 275-286. Springer, eds. Ariane Lewis and James L. Bernat.

4. (2022) "**The Unexamined Benefits of the Expansive Legalization of Medical Assistance-in-Dying**" (with Sean Riley) *Journal of Bioethical Inquiry*, 19(4): 655-665.
3. (2022) "**Why Standard Drug Treatments for the 'Death Rattle' Should Be Discontinued**" *Journal of Palliative Medicine*, 25(2): 180.
2. (2021) "**The Family as a Unit of Care in End-of-Life Conversations**" *AJOB Neuroscience*, 12(4): 283-285.
1. (2016) "**Definitions of Death: Brain Death and What Matters in a Person**" *Journal of Law and the Biosciences* 3: 743-752.

Book Reviews

2. (2022) "**Review: The Lost Art of Dying: Reviving Forgotten Wisdom**" *Journal of Palliative Medicine*, 25(2): 337.
1. (2022) "**Review: Almost Over: Aging, Dying, Dead**" *Bioethics* 36(1): 109-110.

Articles for the General Public

2. (2022) "**The Death of Advance Care Planning is Greatly Exaggerated**" *Hastings Bioethics Forum*. <https://www.thehastingscenter.org/the-death-of-advance-care-planning-is-greatly-exaggerated/>
1. (2021) "**To Live Well, Read About Dying**" *Medium*. <https://medium.com/dukeuniversity/to-live-well-read-about-dying-761f787fb6c1>

Interviews

(2022) "When Does Life Begin? As State Laws Define It, Science, Politics and Religion Clash" *NPR/Kaiser Health News*. <https://www.npr.org/sections/health-shots/2022/08/27/1119684376/when-does-life-begin-as-state-laws-define-it-science-politics-and-religion-clash>

(2022) "Redefining Death"
Vox Unexplainable (podcast). <https://open.spotify.com/episode/7so8nytANwMaFgWr7PvEtC>

TEACHING

As Instructor at Duke University:

Medical Ethics: Summer 2024, Summer 2023, Fall 2022

Philosophy and Literature: Spring 2023 (with Benjamin Eva)

Philosophy of Death and Dying: Summer 2022

Introduction to Philosophy: Summer 2023, Spring 2022; Fall 2021

As Teaching Assistant at Duke University:

Prisoner's Dilemma and Distributive Justice (Alex Rosenberg, Michael Munger), Spring 2021

History of Modern Philosophy (Katherine Brading), Fall 2020

Neuroethics (Walter Sinnott-Armstrong, Scott Huetell), Spring 2020

Medical Ethics (Jennifer Hawkins), Spring 2020

Introduction to Philosophy (Alex Rosenberg), Fall 2019

PRESENTATIONS

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| | "The Legal and Ethical Status of DNR Tattoos" |
| 05/2025 | Granada Conference on End-of-Life, Granada, Spain |
| 09/2024 | American Society for Bioethics and Humanities, St Louis, MO |
| | "The Vulnerable Populations Objection to Medical Aid in Dying" |
| 03/2024 | North Carolina Philosophical Society, Davidson, NC |
| 03/2024 | International Conference on End of Life, Salt Lake City, UT |
| 02/2024 | University of Texas at Arlington, Dept of Philosophy, Arlington, TX |
| 01/2024 | East Carolina University Brody School of Medicine, Dept of Bioethics and Interdisciplinary Studies, Greenville, NC |
| | "MAiD in Canada: Assisted Dying and Vulnerable Populations" |
| 10/2023 | American Society for Bioethics and Humanities, Baltimore, MD |
| | "Consoling the Grieving: Palliative Bereavement Care and the Ethics of Support Conversations" |
| 10/2023 | American Society for Bioethics and Humanities, Baltimore, MD |
| 04/2023 | East Carolina University Brody School of Medicine, Dept of Bioethics and Interdisciplinary Studies, Greenville, NC |
| | "Should Palliative Medicine Assist in Hastening or Postponing Death?" |
| 03/2023 | North Carolina Philosophical Society, Durham, NC |
| 10/2022 | American Society for Bioethics and Humanities, Portland, OR |
| | "Consoling the Grieving: Palliative Bereavement Care and the Ethics of Support Conversations" |
| 01/2023 | Cleveland Clinic, Center for Bioethics, Cleveland, OH |
| 12/2022 | Ohio University, Heritage College of Osteopathic Medicine, Athens, OH |

10/2022	“What the History of Palliative Medicine Can Tell Us About its Proper Function” <i>American Society for Bioethics and Humanities</i> , Portland, OR
07/2022	“The Death Rattle and the Role of Palliative Care” <i>World Congress of Bioethics</i> , Basel, Switzerland
12/2021	“Dying Well and the Role of Palliative Medicine” <i>Kenan Institute for Ethics</i> , Duke University
11/2021	“Philosophy of Grief” <i>Duke Hospital</i> , Palliative Care Grand Rounds
10/2021	“What a Theory of Dying Well Must Have” <i>Hastings Center</i> (virtual)
10/2020	“Unexamined Benefits of Expansive Legalization of Medical Assistance-In-Dying” (with Sean Riley) <i>American Society for Bioethics and Humanities</i> (virtual)

AWARDS

2024-2025	Graduate School Administrative Fellowship (\$30,000)
2023-2024	Evan Frankel Fellowship (\$28,950)
Summer 2022	Duke Competitive Summer Research Fellowship (\$8,250)
2021-2022	Kenan Institute for Ethics Graduate Fellowship (\$5,000)
Summer 2021	Duke Graduate Student Training Enhancement Grant (\$7,600)
2014-2017	Duke Law School Class of 2008 Scholarship Award (\$72,500)

EXPERIENCE

Hastings Center, Garrison, NY

Visiting Scholar, May-Aug. 2021

Assisted on the Hastings grant project “Dementia and the Ethics of Choosing When to Die.”
 Provided research and writing support for a special issue of the *Hastings Center Report* which will publish the results of the project.

Duke Health Justice Clinic, Durham, NC

Student Attorney, August 2016-December 2016

Provided legal defense for low-income HIV and cancer patients, including drafting advance directives, and social security/disability applications.

Consilio Inc., Morrisville, NC

Legal Consultant, November 2017-July 2018

Provided legal analysis for pharmaceutical, housing, and health privacy litigation in civil and

administrative courts. Assisted in preparation of discovery documents in advance of trials.

City of Chicago, Division of Legal Information, Investigations and Prosecutions, Chicago, IL
Legal Intern, July - August 2015

Researched recent additions to the Freedom of Information Act and the impact on city department obligations. Assisted with representation of city employees in depositions. Attended depositions, court hearings, and pretrial conferences.

Hillel Community Day School, North Miami Beach, Florida

Teacher, August 2012 - June 2014

Taught 11th grade math, reading, and college preparatory courses; created lesson plans, and worked with administration to develop a school-wide college readiness curriculum.

REFERENCES

Nita Farahany

Robinson O. Everett Distinguished Professor of Law

Duke University

farahany@duke.edu

Barak Richman

Alexander Hamilton Professor of Business Law

George Washington University

barakr@law.gwu.edu

Gopal Sreenivasan (PhD advisor)

Lester Crown University Distinguished Professor in Ethics

Duke University

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Wayne Norman

Mike and Ruth Mackowski Distinguished Professor of Ethics

Duke University

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David B. Wong

Susan Fox Beischer and George D. Beischer Distinguished Professor of Philosophy

Duke University

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Kevin Hoover (teaching reference)

Professor of Economics and Philosophy

Duke University

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