

# The Physician on the Sabbath

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The Sabbath is an integral part of every observant Jew's life. Therefore, it is imperative for observant doctors to be well versed in what allowances are made for medicine on the Sabbath. Doctors should study and develop expertise in the laws of Sabbath so that they will not transgress the laws of them.<sup>1</sup> This paper delves into various issues that observant doctors come across in their practice of medicine on the Sabbath.

## GENERAL PRINCIPLES

It says in the Torah, "Remember the Sabbath day, to keep it holy. Six days you shall labor and do all your work; but the seventh day is a Sabbath for the Lord your God, in it you should not do any manner of work, you nor your son, nor your daughter, nor your servant, nor your cattle, nor a stranger that is within your gates."<sup>2</sup> Rashi explains that the word *zachor* means both "observe" and "remember"; he explains that both words were spoken simultaneously, and that both are of equal importance.<sup>3</sup> Therefore, even if a patient's care prevents a doctor from physically observing the Sabbath, he still must remember it in all of his actions.

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<sup>1</sup> *Yesod Vesoreh HaAvodah* 6:3, as cited in the *Encyclopedia of Jewish Medical Ethics*, p. 865. It should be noted that many topics presented in this summary article are complex, and readers are encouraged to investigate issues thoroughly on their own.

<sup>2</sup> *Shemot* 20:7–10.

<sup>3</sup> Rashi 20:7.

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## FOUR MAIN CATEGORIES OF THE SICK

### Life-Threatened

The Rambam says that the general rule is that the Sabbath is like a weekday for a person whose life is in danger.<sup>4</sup> Even if the patient will live for only a short time (a few hours), one is still obligated to desecrate the Sabbath to help him.<sup>5</sup> There are five main subcategories of this grouping:

1. A patient who feels that he is in life-threatening danger even if his physician does not think so (but if the disagreement pertains to a recognized diagnosis, the patient's opinion is disregarded).
2. A patient who the doctor believes is seriously ill (even if there is only a possibility that he is seriously ill, and even at the stage where the disease is not yet serious but the doctor believes it may become serious if not treated on the Sabbath).
3. A patient who is able to move around on his own, but who can still become seriously ill if not treated on the Sabbath (e.g., a diabetic who runs out of insulin).
4. A patient who is in a state of illness that our sages have defined as being dangerous, even if that condition is no longer deemed so by current medical professionals (e.g., a woman in the first seven days following delivery of a child or a woman who had an abortion after forty days of pregnancy).
5. A patient whose limb is in danger (because in almost all cases when a limb is in danger the medical state can easily progress to a state that is life-threatening; thus someone whose limb is in danger is considered as though he has a life-threatening illness).<sup>6</sup>

It is a basic principle of Judaism that doctors are required to set aside the laws of the Sabbath if someone's life is in danger or possible danger.<sup>7</sup> Not only is it their obligation, but a physician

<sup>4</sup> Rambam, *Hilchot Shabbat* 2:2.

<sup>5</sup> *Sh'miras Shabbat Kehilchasa* 32:2.

<sup>6</sup> *Nishmat Avraham* on an introduction to siman 328 of the *Shulchan Aruch*.

<sup>7</sup> *Shulchan Aruch Orach Chayim* 328:6.

takes precious time to ask questions about whether or not to violate the Sabbath is considered to have “shed blood” because of the delay the inquiry causes in the patient’s treatment. This concept can be derived from the Torah verse “You shall guard My decrees and My laws that man shall carry out and *by which he shall live*, I am Hashem.”<sup>8</sup> Taken literally, this means that God would not want man to die on account of keeping His commandments.

There are different opinions as to whether the laws of the Sabbath are temporarily suspended, *dechuyah*, or totally inoperative, *hutrah*, in order to save a life.<sup>9</sup> According to the rabbis who hold that the laws are totally inoperative, everything can be done for a patient as if it were a weekday.<sup>10</sup> Among the rabbis who believe that the Sabbath prohibitions are only temporary suspended,<sup>11</sup> one should take precautions to minimize the violation of Sabbath to the greatest extent possible. This would include delaying treatment until after the Sabbath, and preparing extensively before the Sabbath begins. If it is not a dire situation, one must be sure to carefully calculate the needs of the sick person before desecrating the Sabbath. For example, one should preferentially violate rabbinical prohibitions as opposed to Biblical ones.<sup>12</sup>

<sup>8</sup> *Vayikra* 18:5.

<sup>9</sup> *Encyclopedia of Jewish Medical Ethics*, p. 866.

<sup>10</sup> *Tosafot (Responsa Yechaveh Daat*, pt. 4 no.30:5); other sources as cited in the *Encyclopedia of Jewish Medical Ethics*, p. 866; *Responsa Ravid* no.49; *Responsa Maharam Rottenberg* no.200 (cited in *Rosh*, *Yoma* 8:14 and *Responsa Rosh* no.64:5); *Mordechai*, *Shabbat*, end of 466; *Responsa Tashabatz*, pt. 3 no.37; *Responsa Rama* no.76; *Magen Avraham* 328:9; *Responsa Rabbi Y.A. Herzog*, *Orach Chaim* no.3; *Responsa Yechaveh Daat*, pt. 4 no. 30; *Responsa Yabiya Omer*, pt. 7, *Orach Chayim* no.58 and no. 53:5.

<sup>11</sup> *Rashi*, according to *Beit Joseph*, *Orach Chayim* 328, s.v. *uma shekatav rabenu*; Other sources as cited in the *Encylcopedia of Jewish Medical Ethics*, p. 866, *Ramban*, cited in *Magid Mishneh*, *Shabbat* 2:11; *Responsa Rashba*, pt. 1 no. 689; *Ran*, *Beitzah* 17a; *Responsa Radvas*, pt. 4 no. 66 and 130; *Bei'ur HaGra*, *Yoreh Deah* 155:24 and 266:25; *Shulchan Aruch Harav*, *Orach Chayim* 328:131; *Minchat Chinuch*, *Musach HaShabbat* after Hotzaah.

<sup>12</sup> *Sh'miras Shabbas Kehilchasa*, 32:28, 29, 65–70.

One may not prophylactically desecrate the Sabbath by such preventive care as can be administered after the Sabbath without concern about exacerbating or worsening the patient's condition.<sup>13</sup> If treatment for a person (even in a life-threatening condition) involves a direct Biblical *melacha* (prohibition) and can be postponed until after the Sabbath without any ill-effects, one should postpone it.<sup>14</sup> For example, if a patient requires an x-ray but it need not be performed immediately, one should wait until after the Sabbath to take the x-ray.

If a life-threatening situation arises on the Sabbath, it is preferable that the physician be Jewish as opposed to a gentile. One reason for this is that if people see a non-Jew dealing with the situation, they will mistakenly think that only gentiles are permitted to desecrate the Sabbath to save a life. However, if danger to the patient is not imminent and a *melacha* must be transgressed, it is better that a gentile perform that *melacha*.<sup>15</sup> In a *shiur*, Rabbi Dovid Ostroff suggested that turning out the light to enable a patient to sleep is an example of this. The Rambam similarly states that before a Jew turns off the light to let a seriously ill patient sleep, he should explore alternative options, such as covering the lights or moving the patient to another room.<sup>16</sup>

### The Non–Seriously Ill Patient

There are six main categories of non-seriously ill patients, as follows:

1. One who is bedridden or feels generally ill (e.g., a patient with influenza).
2. One who has a high temperature that would prevent most people from going out (even if this particular patient is not confined to his bed).

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<sup>13</sup> *Responsa Iggrot Moshe*, Orach Chayim, pt. 3 no.69.

<sup>14</sup> *Sh'miras Shabbas Kehilchasa* 32:23.

<sup>15</sup> *Sh'miras Shabbas Kehilchasa* 38:1–3.

<sup>16</sup> Rambam Shabbat 2:11; Mishnah Berurah 328:1.

3. One who has severe external pain that makes him feel weak even if he is not bedridden.
4. One who, although able to move around, will be forced to remain in bed if not given prophylactic treatment (e.g., an asthma or migraine sufferer).
5. One whom our sages have defined as a “non-seriously ill patient,” such as a woman from the eighth to thirtieth day post-childbirth or abortion (only an abortion after forty days of pregnancy), or a young child who requires treatment.
6. A child until the age of nine or ten.<sup>17</sup>

To treat a “non-seriously ill patient” a Jew may only violate rabbinic, not Biblical, laws. When transgressing rabbinical laws, the physician should attempt to do these acts *b’shinui* (in an unusual manner), but if this is not possible, a Jew may desecrate the rabbinic laws in the regular way.<sup>18, 19</sup> If a specific treatment is necessary on Sabbath, or even if it will quicken the patient’s treatment after the Sabbath, a Jew may ask a gentile to do whatever is necessary for the well-being of such a patient, even if it involves violating direct Biblical laws.<sup>20</sup> For example, one is allowed to take an x-ray on the Sabbath in a non-life-threatening situation if it will make the patient’s recovery faster. It is interesting to note that it is not necessary to instruct a non-Jew to do work that a Jew is permitted to do, even if it involves transgressing a rabbinic prohibition.<sup>21</sup> Therefore, a Jew would be permitted to give a subcutaneous injection (a rabbinic prohibition), but would need a gentile to give an intravenous drip (which may be a Biblical prohibition).

<sup>17</sup> *Nishmat Avraham*, introduction to siman 328, pp. 182–183.

<sup>18</sup> *Orach Chayim* 328:17; *Mishnah Berurah* 57.

<sup>19</sup> *Mishnah Berurah* 328:102.

<sup>20</sup> *Mishnah Berurah* 328:47.

<sup>21</sup> *Sh’miras Shabbas Kehilchasa* 38:4–13.

### The Patient with Minor Illness, or with Aches and Pains

This category includes patients who are only slightly ill, such as someone with an irritating cough or headache, but who is not ill enough to become bedridden. In this situation, a Jew is forbidden to break any laws to help, whether Biblical or rabbinic. Additionally, the patient may not take any medications. A non-Jew, on the other hand, is allowed to desecrate rabbinic laws in order to help the patient.<sup>22</sup>

### A Patient with Discomfort

This category includes people experiencing some discomfort—for example, someone with a mild cough or skin ailment. No treatment is allowed for a patient in this category, even if it is done by a non-Jew.<sup>23</sup> It is interesting to note that Rav Moshe Feinstein ruled that even though a healthy person who takes vitamins daily is allowed to take them on the Sabbath, someone who is sick and does not normally take them cannot, as the ill individual would be taking the vitamins only because he feels sick.<sup>24</sup>

## LAWS CONCERNING THE PHYSICIAN

### Driving on the Sabbath

A physician should drive to a seriously ill patient on the Sabbath as he would normally during the week.<sup>25</sup> However, if he thinks there is a possibility of having to drive on the Sabbath, he should prepare beforehand. One opinion states that if a physician knows that he will have to be at the hospital on the Sabbath, he should arrange to sleep near the hospital to avoid driving home on the Sabbath.<sup>26</sup>

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<sup>22</sup> *Mishnah Berurah* 328:52.

<sup>23</sup> *Mishnah Berurah* 328:3, 83.

<sup>24</sup> *Responsa Iggrot Moshe*, *Orach Chayim* 3:54.

<sup>25</sup> Heard from S. Z. Auerbach *z”l* by Abraham S. Abraham as cited in “Halachot for the Physician on the Sabbath and Festivals,” p. 46.

<sup>26</sup> *Responsa Iggrot Moshe*, *Orach Chayim* 4:79.

However, other opinions do not believe that he must sacrifice his and his family's enjoyment of the Sabbath in order to avoid desecrating the Sabbath for a dangerously ill patient.<sup>27</sup> Assuming that he stays home, he should turn off the lights in the car before the Sabbath. If he forgets to do this (and has time), he should do it once the car door is closed.<sup>28</sup> Even if there is no *eruv*, the physician is allowed to carry all essential documents with him (e.g., an insurance card and license), though he should do so with a *shinui* (in an unusual manner, such as in his shoe). Once in the car, he should take the shortest possible route and should not use the radio or other instruments that are not necessary components of getting to the hospital.<sup>29</sup> All of these rules apply only to experienced drivers. If these restrictions may endanger the driver or pedestrians at all, the physician should drive normally to avoid any further danger on the trip.<sup>30</sup>

Once he has reached his destination, he must leave the documents in his car and leave the car running with the keys in the ignition. If there is a real possibility that the car may be stolen, he is allowed to take his keys from the car in an unusual manner, even if there is no *eruv*.<sup>31</sup> When he reaches his destination, he may not turn off the car lights unless there is a possibility that he will need the car to drive to another seriously ill patient on the Sabbath and is certain that the battery will die. The car motor should not be turned off if, by turning off the motor, the lights on the dashboard and inside the car will also be turned off, unless leaving it on can result in a dangerous situation, such as a child entering the car. If this is a fear, the motor can be turned off in an unusual manner.<sup>32</sup>

A physician may be driven to the hospital by a non-Jew to help a non-seriously ill patient if it is too far to walk.<sup>33</sup> A member of the

<sup>27</sup> *Sh'miras Shabbas Kehilchasa* 32:104 (Rabbi S.Z. Auerbach).

<sup>28</sup> *Sh'miras Shabbas Kehilchasa* 40:54.

<sup>29</sup> *Sh'miras Shabbas Kehilchasa* 40:50.

<sup>30</sup> *Sh'miras Shabbas Kehilchasa* 40:62

<sup>31</sup> "Halachot for the Physician on the Sabbath and Festivals," pp. 46–47.

<sup>32</sup> *Sh'miras Shabbas Kehilchasa* 40:58–60.

<sup>33</sup> *Sh'miras Shabbas Kehilchasa* 38:13

house staff who lives close to the hospital and is due to come in on the Sabbath morning is allowed to spend Friday night away from his home and be driven to the hospital by a non-Jew. However, he cannot travel to a destination that is more than an 11.5 kilometer, *twelve mil (techum)* radius from the city limits. In this situation, even a non-Jew would not be able to drive him to the hospital.<sup>34</sup> An attending physician, on the other hand, is allowed to stay more than 11.5 kilometers from the hospital if it is not certain that he will need to go in on the Sabbath, and even if he did, it would only be for a seriously ill patient. Once he has come into the hospital, though, he is not allowed to be driven home even by a non-Jew.<sup>35</sup>

In all cases, it is preferable to use a non-Jewish driver. The physician can also then ask the driver to carry all of his medical equipment into and out of the car. One should try to arrange to pay the driver after the Sabbath, even if it means giving the driver a significant tip. If the driver refuses to wait until after the Sabbath, the physician is permitted to give the appropriate payment, but cannot ask for change or a receipt.<sup>36</sup>

A physician who leaves home and drives to visit a seriously ill patient may not drive back home unless there is a significant chance that his services will be needed at home to treat another seriously ill patient. If he was driven by a non-Jew, he is allowed to return home with him, provided that the distance to the Jewish physician's home is less than 11.5 kilometers. He is even allowed to call a non-Jew to request that he take him home even if it is just for his pleasure, for example to be with family for the rest of the Sabbath.<sup>37</sup>

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<sup>34</sup> Written to Abraham S. Abraham by Rabbi J.J. Neuwirth as cited in "Halachot for the Physician on the Sabbath and Festivals," p. 48.

<sup>35</sup> Heard from Rabbi J.J. Neuwirth as cited in "Halachot for the Physician on the Sabbath and Festivals," p. 48.

<sup>36</sup> *Sh'miras Shabbas Kehilchasa* 38:13.

<sup>37</sup> *Sh'miras Shabbas Kehilchasa* 40:69.

## Writing on the Sabbath

In today's hospitals, there are certain protocols for filling out medical information for or about a patient. Some of the information is imperative for the patient immediately, and other, routine things could have implications for the future. It is important for an observant doctor to make the difficult distinction between things that directly impact the patient's care and those that are asked as a matter of routine.<sup>38</sup> While a doctor is permitted to write something that is imperative for a seriously ill patient on the Sabbath (e.g., a prescription, referral letter for the emergency room, important chart details), he may not write something that does not immediately benefit the patient.<sup>39</sup> Since it is a Biblical prohibition to write by hand on paper on the Sabbath, there are other alternatives which would involve only rabbinic desecrations that would be preferable if one is able:

1. It would be preferable to ask a non-Jew to do all the required writing. This is also permissible for a non-seriously ill patient.<sup>40</sup> Practically this might not be possible in many hospitals.
2. A right-handed person should write with his left, and vice versa, as doing so would be considered a significant *shinui* and would only be rabbinically prohibited.<sup>41</sup> If writing in this manner would cause any sort of delay or might cause errors because of the illegible writing, it should not be done.<sup>42</sup>
3. There are some who rule that writing in Hebrew is a Biblical prohibition while writing in another language is rabbinic.<sup>43</sup> Others disagree and believe that writing in any language transgresses a Biblical law.<sup>44</sup>
4. According to some, it is permitted to use a special ink on the Sabbath that dissolves after a day so that the writing is not permanent. There are

<sup>38</sup> *Encyclopedia of Jewish Medical Ethics*, p. 878.

<sup>39</sup> *Nishmat Avraham*, 340:4 (D).

<sup>40</sup> *Sh'miras Shabbas Kehilchasa* 40:4.

<sup>41</sup> *Mishnah Berurah* 340:22.

<sup>42</sup> *Encyclopedia of Jewish Medical Ethics*, p. 879; *Nishmat Avraham* 340:4 (D).

<sup>43</sup> *Rama*, *Orach Chayim* 306:11.

<sup>44</sup> *Magen Avraham* 340:10.

also some chemical or fluorescent substances that can be used to conceal writing unless the writing is viewed with a special instrument. This is permissible because some opinions state that the Biblical prohibition of writing extends only to compositions that last for more than twenty-four hours.<sup>45</sup>

5. While some feel that writing on a computer on the Sabbath transgresses a Biblical prohibition,<sup>46</sup> others believe that it does not involve any prohibition of writing or erasing, assuming that the computer lights are not turned on, the writing on the screen is only temporary, and the computer is turned on before the Sabbath.<sup>47</sup>

6. If a patient needs a dose calculated on the Sabbath, it is preferable for the doctor to use a pocket computer (without a printer) to be certain that the numbers will erase themselves after a short time, to prevent violation of a Biblical law.<sup>48</sup>

7. Some rabbis rule that that using a tape-recorder to record patient information does not violate the laws of writing and erasing on the Sabbath.<sup>49</sup> Others say that it transgresses “building” (*boneh*) on the Sabbath.<sup>50</sup> (Because of the electricity that flows through a tape-recorder while using the microphone, some rabbis do not allow using certain tape-recorders.) If the current flows from batteries rather than from an electric generator, and if the type of microphone that is permitted is used, tape-recorders are allowed for recording essential information about a patient.<sup>51</sup> It is now possible to have a tape-recorder engineered with a device that delays the response (*grama*). Therefore, the combination of certain permissible types of microphones with the indirect recording mechanism make using the

<sup>45</sup> *Responsa Minchat Shlomo* no. 91:11.

<sup>46</sup> *Responsa Shevet Halevi*, pt. 6 no. 37:1.

<sup>47</sup> *Halacha U'refuah*, vol. 5 (5748), pp. 134 ff. as cited in the *Encyclopedia of Jewish Medical Ethics*.

<sup>48</sup> *Encyclopedia of Jewish Medical Ethics* based on *Responsa Iggeret Moshe*, *Orach Chayim*, pt. 3 no.31.

<sup>49</sup> *Responsa Iggerot Moshe*, *Orach Chayim*, pt. 3 no.31.

<sup>50</sup> Rabbi J.J. Neuwirth et al., *Assia*, vol. 1 (5736), pp. 3 ff., as cited in the *Encyclopedia of Jewish Medical Ethics*, p. 879.

<sup>51</sup> Rabbi S.Z. Auerbach, *Kovetz Maamarim, Chashmal Beshabbat*; Rabbi S. Goren, *Machanayim* 5718, cited in the *Encyclopedia of Jewish Medical Ethics*, p. 879.

tape-recorder a much better way of recording data than writing by hand on paper.<sup>52</sup>

A Jew is not allowed to write a discharge order for either a hospitalized patient or a patient treated in the emergency room. However, he is able to ask a non-Jew to write one for a patient who is not seriously ill.<sup>53</sup> He may even ask a non-Jew to write a discharge letter for a healthy patient if not writing the order would cause difficulties for the hospital or for other patients.<sup>54</sup> A Jew is not able to write (or even to tell a non-Jew to write) a death certificate on the Sabbath unless not writing it would cause a delay in burial or otherwise dishonor the deceased individual.<sup>55</sup>

Today, there are many procedures and surgeries that require written consent. It is preferable that a Jewish patient avoid writing on the Sabbath and attempt to give oral consent in the presence of witnesses as opposed to signing a document. They can then sign the document after the Sabbath. It is also permissible for a non-Jew to sign on behalf of the observant patient. However, if the hospital or doctor refuses to treat the patient unless his name is signed on paper, he is allowed to sign (for a necessary treatment). This rule also applies to family members of the patient if he is unable to sign for himself.<sup>56</sup>

### Use of Medical Equipment on the Sabbath

*Telephone.* One should not use a telephone on the Sabbath for a non-seriously ill patient. If one needs to use the phone for a patient in this category, they should ask a non-Jew to remove the receiver before speaking into it, as using a telephone causes many lights to be turned on and off, both at the receiving end and at the central

<sup>52</sup> *Encyclopedia of Jewish Medical Ethics*, p. 879.

<sup>53</sup> *Sh'miras Shabbas Kehilchasa* 40:44.

<sup>54</sup> Rabbi S.Z. Auerbach, cited in *Nishmat Avraham*, Orach Chayim 340:6.

<sup>55</sup> Rabbi S.Z. Auerbach, cited in *Nishmat Avraham*, Orach Chayim 340:6.

<sup>56</sup> *Sh'miras Shabbas Kehilchasa* 40:21.

telephone exchange.<sup>57</sup> For a dangerously ill patient, it is required that one use the telephone as necessary. However, if possible, one should still try to ask a non-Jew to lift the receiver or one should lift it in an unusual manner.<sup>58</sup> One may speak as long as necessary on the Sabbath on behalf of a seriously ill patient. It is also permissible to maintain polite conversation, though one should attempt not to deviate from topics relevant to the patient. One is allowed to replace the phone on the receiver so as to receive any other calls about seriously ill patients; however it should be replaced in an unusual manner (*shinui*).<sup>59</sup> A doctor who is home for the Sabbath is permitted to answer his telephone because of the possibility that a seriously ill person could be calling. It is preferable, though, that he lift the receiver in an unusual way.<sup>60</sup>

*Imaging or X-Ray Machines.* Usage of radiological modalities or other imaging techniques on the Sabbath involves many prohibitions such as writing and erasing, lighting, and extinguishing. Therefore, their use is permitted only for dangerously ill patients in a situation that cannot wait until after the Sabbath. Since there is no worry of batteries burning out or of ruining the machine, one should turn on the imaging machine before the Sabbath in anticipation of caring for a dangerously ill patient.<sup>61</sup>

*Electrocardiogram.* Use of this machine also involves transgressing many prohibitions, including writing (on the paper), lighting and extinguishing fire (in turning the instrument on and off), and smearing the ointment or jelly on the electrodes and on the patient. As such,

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<sup>57</sup> *Responsa Yabiya Omer*, pt. 1, *Orach Chayim* no.20. It should be noted that in the modern age, there is no central telephone exchange.

<sup>58</sup> *Sh'miras Shabbas Kehilchasa* 32:40.

<sup>59</sup> *Sh'miras Shabbas Kehilchasa* 32:42.

<sup>60</sup> *Sh'miras Shabbas Kehilchasa* 32:47 and 40:9.

<sup>61</sup> *Sh'miras Shabbas Kehilchasa* 40:32.

this machine is also only allowed to be used on the Sabbath for seriously ill patients.<sup>62</sup>

*Otoscope/Ophthalmoscope.* These instruments are battery-powered tools used to examine the middle and external ear and the eye, respectively. If it is necessary to use these instruments on the Sabbath, it is preferable that they be turned on in an unusual manner. Additionally, the lights should not be turned off (extinguishing) unless there is a reasonable chance they will be used that same day and the batteries will die, in which case they are permitted to be turned off *b'shinui*.<sup>63</sup>

*Thermometer.* It is permissible to measure a patient's temperature on the Sabbath with a (non-digital) thermometer.<sup>64</sup> A thermometer is not considered to be *muktzah* and, therefore, it is permitted to handle it on the Sabbath.<sup>65</sup> It is permissible to use a celluloid thermometer on the Sabbath only if the colors change without any letters or numbers appearing, or if the letters or numbers are there already and just become colored (not created).<sup>66</sup> One is not permitted to use an electronic thermometer under any circumstances on the Sabbath. Even if a patient is dangerously ill or even if the thermometer was turned on before the Sabbath, it is not permitted. One must be sure to find a regular, non-electronic thermometer.<sup>67</sup>

*Beeper.* A doctor who is on call is permitted to leave his house carrying his beeper into a public domain (defined as public by rabbinic,

<sup>62</sup> *Sh'miras Shabbas Kehilchasa* 40:31

<sup>63</sup> *Encyclopedia of Jewish Medical Ethics*; for technical details, see Rabbi Y. Rosen, *Assia*, vol. 2. (5741), pp. 184 ff.

<sup>64</sup> *Sh'miras Shabbas Kehilchasa* 40:2 and n. 3.

<sup>65</sup> Rabbi S.Z. Auerbach in n. 3 of *Sh'miras Shabbas Kehilchasa* 40.

<sup>66</sup> Rabbi S.Z. Auerbach in n. 8 of *Sh'miras Shabbas Kehilchasa* 40.

<sup>67</sup> *Yalkut Joseph*, pt. 4 (4) 328.37, as cited in *Encyclopedia of Jewish Medical Ethics*, p. 881.

not Biblical criteria), as long as he carries it in an unusual manner.<sup>68</sup> If he is going to visit a patient who is dangerously ill, he is permitted to carry his beeper even if the place is defined as public by Biblical standards. He should make sure his beeper is an integral part of his clothing (like his belt).<sup>69</sup> Ideally, someone who knows that he will need his beeper would have two beepers, one at home and one in shul, thereby minimizing the Sabbath desecration. Additionally, it is best that the beeper automatically relay a message and that one does not have to push buttons to activate it.<sup>70</sup> Interestingly, the beeper itself is not *muktzah* for a doctor because it has a useful purpose for the doctor on the Sabbath.<sup>71</sup>

The mitzvah of keeping the Sabbath is arguably the most essential and significant mitzvah in an observant Jew's life. As a physician, while in certain situations one is obligated to help the patient even if it means desecrating the Sabbath, in others it is prohibited from assisting the patient if it involves a Sabbath violation. As such, it is imperative for every observant physician to be knowledgeable about what he/she can or cannot do in regard to patient care on the Sabbath. The main points discussed in this paper are the differences between categories of sick people, since the amount of *melacha* the physician is allowed to transgress is dependent on the category of the sick patient before him, writing on the Sabbath, driving on the Sabbath, and the use of certain medical equipment on the Sabbath. The halachic information covered in this paper is only a fraction of the information that an observant physician needs to know in order to perform the ever-important mitzvah of observing and remembering the Sabbath.

<sup>68</sup> *Responsa Iggerot Moshe*, Orach Chayim pt. 4 no.81.

<sup>69</sup> Rabbi S.Z Auerbach, cited in *Nishmat Avraham*, pt. 4, Orach Chayim 301:1.

<sup>70</sup> Rabbi M. Hershler, *Halacha U'refuah*, vol. 5 (5748), pp. 31 ff., as cited in *Encyclopedia of Jewish Medical Ethics*, p. 880.

<sup>71</sup> Heard by Abraham S. Abraham from Rabbi J.J. Neuwirth as cited in "Halachot for the Physician on the Sabbath and Festivals," p. 43.