

הלכות רפואה בשבת

***MEDICAL CARE
ON
SHABBOS***

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בס"ד

כ"ז טבת תשנ"ז

הנה ידידי הרב יוסף בנימין סיימאן שליט"א מחשובי לומדי
הכולל, חיבר לקוט של הלכות הנוגעות למעשה בטפול
חולה בשבת, והוציאו בלשון אנגלית כדי שיהא מוכן להמון
עם לדעת הלכה למעשה במקרה של חולי בשבת. וכבר
ראו ת"ח חשובים את הקונטרס והוטב בעיניהם.

ע"כ אני מברכו שבעזהשי"ת ימשיך להוציא לאור חבורים
בהלכה לתועלת הרבים. והרב המחבר השקיע עמל מרובה
להוציא לאור דבר מתוקן ויה"ר שיתרבה על ידו שמירת
שבת כראוי.



שלמה אליהו מילר
ראש כולל

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"ורפא ירפא מכאן שנתנה רשות לרופא לרפאות"¹

"and heal you shall heal from here we learn that a doctor has permission to heal"

"מעשה ברבי ישמעאל ורבי עקיבה שהיו מהלכין בחוצות ירושלים והיה עמהן אדם אחד, פגע בהם אדם חולה, אמר להן רבותי אמרו לי במה אתרפא, אמרו לו קח לך כד וכך עד שתתרפא, אמר להן אותו האיש שהיה עמהן מי הכה אותו בחולי, אמרו לו הקדוש ברוך הוא, אמר להן ואתם הכנסתם עצמכם בדבר שאינו שלכם, הוא הכה ואתם מרפאין, אמרו לו מה מלאכתך, אמר להן עובד אדמה אני והרי המגל בידי, אמרו לו מי ברא את האדמה, מי ברא את הכרם, אמר להם הקדוש ברוך הוא, אמרו לו ואתה מכניס עצמך בדבר שאינו שלך, הוא ברא אותו ואתה אוכל פריין שלו, אמר להן אין אתם רואין המגל בידי אלולי שאני יוצא וחורשו ומזבלו ומנכשו לא מעלה מאומה, אמרו לו שוטה שבעולם ממלאכתך לא שמעת מה שכתוב אנוש כחציר ימיו, כשם שהעץ אם אינו נזבל ומתנכש ונחרש אינו עולה, ואם עלה ולא שתה מים אינו חי והוא מת, כך הגוף הוא העץ, הזבל הוא הסם, איש אדמה הוא הרופא, וכו'."

Rabbi Yishmael and Rabbi Akiva were walking in the streets of Yerushalayim accompanied by a person . They met a sick man who said to them "Rabbis, tell me, how can I get healed?". They said to him "Take such and such until you will be healed". The man who was with the Rabbis said to them, "Who made him sick?". The Rabbis answered him, "Hashem". He then said, "And you mixed into a matter that doesn't concern you. Hashem, made him sick and you presume to tell him how to get well?".

The sages asked him, "What is your profession?". He answered, "I am a farmer and behold the scythe is in my hand". They said to him, "Who created the earth? Who made the vineyard?" He replied, "Hashem". The sages then asked him, "And you mixed into a matter that doesn't concern you? Hashem created the field and you presume to eat its fruit?"

The farmer then replied, "Don't you see the scythe in my hand? If I would not go out and plow the field, till and cultivate it, nothing would grow in it". They said to him, "Fool that you are, can you not comprehend from your own work that which is written, "A person's days are like a stalk of leek". Just as a tree that is not fertilized, cultivated, and plowed doesn't grow and even after it grows, if it does not get watered, it withers and dies, so too,

the body is like the tree, the fertilizer for the body is medicine, the farmer for the body is the doctor

This story is perplexing. This person seems to have a legitimate argument. If "Hakodosh Boruch Hu" is the one who makes one sick, should He not be the only one to heal? Yet, we all know that throughout the generations, people, including Tzadikim, have been healed through the professional ministrations of doctors.

The Rambam and Ramban seem to differ in their outlook on the advisability of seeking medical attention. The Ramban writes in Parshas בחוקתי:

"כי בהיות ישראל שלמים והם רבים, לא יתנהג ענינם בטבע כלל, לא בגופם וכו' ויסיר מחלה מקרבם, עד שלא יצטרכו לרופא, ולא להשמר בדרך מדרכי הרפואות כלל כמו שאמר: כי אני ה' רופאך.

וכן היו הצדיקים עושים בזמן הנבואה, גם כי יקרם עון שיחלו, לא ידרשו ברופאים, רק בנביאים ... ומה חלק לרופאים בבית עושי רצון ה'... והוא מאמרם שאין דרכם של בני אדם ברפואות, אלא שנהגו, שאילו לא היה דרכם ברפואות, יחלה האדם כפי אשר יהיה עליו עונש חטאו, ויתרפא ברצון ה'. אבל הם נהגו ברפואות, וה' הניחם למקרה הטבעים. וזו היא כונתם באמרם: ורפא ירפא - מכאן שניתנה רשות לרופא לרפאות, לא אמרו שנתנה רשות לחולה להתרפאות, אלא כיון שחלה החולה ובא להתרפאות, כי נהג ברפואות, והוא לא היה מעדת ה' ושחלקם בחיים, אין לרופא לאסור עצמו ברפואתו ... ולא בעבור שיאמר כי ה' לבדו הוא רופא כל בשר, שכבר נהגו ... אבל ברצות ה' דרכי איש אין לו עסק ברפואות."

"Because when the many Jews were consistent, their lives, including their health were not governed by natural law. Hashem removed all sickness from them so that they never needed a doctor or any medical intervention at all as it is written, "Because, I, Hashem am your doctor".

This is how the Tzadikim lived in the time of the prophets. Since sin caused them to become ill, they did not go to doctors but to prophets.... What need is there for doctors amongst people who only seek the will of Hashem? The Possuk is telling us that people do not need to resort to doctors. They have

accustomed themselves through their own will to medical intervention. Since they sought medical relief, Hashem leaves their fate to take a natural course. This is what is meant by "ורפא ירפא", that permission is granted to the doctor to heal. The Torah does not state that permission is granted to the sick person to go to doctors. When a sick person goes to a doctor he demonstrates that he doesn't have absolute faith that everything emanates from Hashem and all healing can come only from Him, therefore the doctor has permission to heal him and is not obligated to refrain from doing so However if a person's relationship to Hashem is one of perfect faith, he may not resort to medicine and doctors."

However, the Rambam, when discussing the book of medicines which Chizkiyahu concealed, writes:

"ספר רפואות היה ספר שהיה ענינו להתרפאות בדברים שלא התירה תורה להתרפאות בהן וכו'. כי יש דברים שמנע ה' לעשותם, והם מותרים ללמדם ולהבינם. כי השם יתברך אמר לא תלמד לעשות, ולמדנו בקבלה (סנהדרין ס"ח): אבל אתה למד להבין ולהורות. וכאשר השחיתו בני אדם דרכם והיו מתרפאין באותן הדברים, הסירן וגנזן חזקיהו המלך וכו'.

ואני הרביתי לך דברי בזה מענין, לפי ששמעתי, וכן פרשו לי הענין, כי שלמה חבר ספר רפואות, כשיחלה שום אדם או יקרנו שום חולי מן החולים, היה מתכוין לאותו הספר, והיה עושה כל מה שכתוב בספר, והיה מתרפא. וכאשר ראה חזקיהו כי בני אדם לא היו סומכין על הש"י, הסיר אותו וגנזו. ואתה שמע הפסד זה המאמר, וממה שיש בו מן השגיונות, ואיך יחסו לחזקיהו מן האולת וכו', ולפי דעתם הקל והמשובש האדם כשירעב וילך אל הלחם ויאכל ממנו, בלי ספק שיבריא מאותו חולי החזק - חולי הרעב, אם כן כבר נואש ולא ישען באלקיו, נאמר להם הוי השוטים כאשר נודה לשם בעת האכילה, שהמציא לי מה שישביע אותי, ויסיר רעבתנותי, ואחיה ואתקיים, כן אודה לו שהמציא לי רפואה וריפא חליי, כשאתרפא ממנו וכו'".

"The Book of Medicine was a book about healing through ways that the Torah does not allow. It was only permitted to learn these methods of healing as part of Torah knowledge, but not to utilize them. However, when mankind became depraved and began to use this knowledge as a means of healing, Chizkiyahu removed this book from circulation.

The Rambam continues:

"There is another interpretation which I heard. King Solomon wrote the Book of Medicine. If any one became ill or suffered from disease, he would consult the proper passage in this Book, obey it to the letter and he would become healed. However, when Chizkiyahu saw that people were no longer depending on Hashem for healing, he removed this Book from circulation and hid it. This interpretation is a gross mistake. If someone were to argue that a hungry person eating bread to relieve his hunger pangs will come to rely on the bread, and not rely on Hashem, we answer him, "Fool, don't we thank Hashem at the time we eat the bread for providing us with this bread and enabling us to satisfy our hunger?". So too, a Jew will thank Hashem for providing him with medicine and creating doctors who are able to provide him with relief from his illness and suffering."

As we have seen, the Ramban maintains that when a person is sick, he should seek Hashem's help and not go to doctors. The Rambam seemingly disputes this and says just as a hungry person must eat to satisfy his hunger and is not thereby considered lacking in Emunah, so too, a sick person is permitted to consult a doctor in order to heal himself.

Rav Dessler writes that there is no difference of opinion between the Ramban and the Rambam. It depends on the spiritual level of the sick person. A person on the highest level, who has internalized the perception that everything that happens to him is decreed by Hashem, will turn to Hashem for everything that he needs, including his health. The Rambam would agree with the Ramban that someone on this level should only turn to Hashem for a cure.

Rav Dessler explains that there is a need to turn to Hashem for a medical cure. A person's physical illness may very well be a reflection of spiritual malaise. In former times a person who became ill would turn to the prophets for advice on how to rectify his actions by doing Teshuva. By getting to the root of the problem he would be healed from his physical ailments as well. The person who went to a doctor seemed to be trying to circumvent Hashem by seeking to be healed without getting to the root of the problem, i.e. doing Teshuvah for the sin. He writes that someone on such an exalted level is able to survive without food and drink, like Moshe Rabbeinu at the time of Matan Torah. Moshe Rabbeinu was still in his physical body, but he states "bread I did not eat and water I did not drink". His ascent to Heaven at the time of Matan Torah was a spiritual ascent, and not a physical one.

Apparently, there is a level at which one can survive miraculously. This is the level on which the Ramban writes, "What is the need for doctors in the house of one who does the will of Hashem?".

One who is not on such an exalted level attributes his circumstances to natural causes also. Hashem conceals His ways from him and interacts with him through natural means, as the Ramban writes: "Hashem consigns them to natural law". Such a person should surely daven to Hashem to heal him, but he must also go to doctors. When the doctor cures him, he must give thanks to Hashem for the existence of doctors to cure him.

A person on this level who does not go to a doctor because he wants to be healed only through Hashem is one who is referred to by the Rambam as "One whose understanding is warped". A person must always act in accordance with his spiritual level.

The Peleh Yoetz gives a different interpretation: There are three different kinds of decrees which are decreed on people. The first one is a decree that a person will be healthy. This person, even if he does things which are not good for his health and does not go to doctors, will surely live. Someone upon whom it was decreed to die, **ר"ל**, even if he guards himself as carefully and as humanly possible from all the dangers in the world, it is all for naught. No doctor or medication will be able to save him. The third decree is on a person who, because of his Aveiros, is being consigned to the dictates of nature. If this person will guard his health properly, go to the doctor and follow his advice when necessary, then he will live. However, if he will not take care of his health and will not seek cures for his ailments, then he will die. About such a person it is written, . . . "And there are those whose lives are ended without (seeming) justice". Therefore, each person must try to seek cures for his sicknesses and not violate the Mitzvah of "and you should guard your life very carefully". Besides violating this Mitzvah, such a person is also relying on a miracle, and if he is miraculously cured he is depleting his merits in Heaven.

A person must always be very careful to guard his health, and if one **ר"ל** does get sick, he should seek out the most excellent doctors, without regard to cost. Of course, before anyone turns to doctors, he should realize that Hashem is the source of all healing and he should first daven to Hashem to heal him.

We can see how far-reaching and all encompassing is the obligation of Refuah as we are even allowed to desecrate Shabbos in order to do whatever is necessary to heal a sick person who is in danger.

May Hashem grant us health, longevity, and no need to rely on doctors and medicine!

חולה שיש בה סכנה

A PERSON WHO'S LIFE IS IN DANGER

When a person's life is in danger, it is a מצוה to be מחלל שבת to save him.² The תורה says וחי בהם; Mitzvos do not stand in the way of פיקוח נפש.

It is a Mitzvah to be מחלל שבת in situations where a life is definitely in danger and even in situations of only possible danger as well.³

One should not be nervous and delay performing necessary actions in order to first ask a Posek, for one who does so according to Chazal is considered a שופך דמים.⁴

CHAPTER 1

WHAT IS CONSIDERED A סכנה

1. One may be מחלל שבת if necessary for any illness or situation that poses a danger to one's life. We are also מחלל שבת for even a possible danger to a life.

For example:

If someone faints and the cause is unknown we are מחלל שבת because there is a possible danger.

2. If someone was careless and brought the danger onto himself, we are still מחלל שבת for him if necessary.⁵

3. If there is presently no danger, but it is a sickness that could develop into a danger, we are required to be מחלל שבת if necessary.⁶

For example:

An abscess under the skin, even though at the present time it is not a danger, it could spread into the blood stream, and so is considered a סכנה.

מכה של חלל INTERNAL DISORDERS

1. A physical disorder in any of the internal organs of the body such as the heart, lungs, liver, etc., is considered a סכנה.⁷ This applies only if there is a physical disorder, e.g., a wound or growth. If, however, one merely experiences minor internal pains, it is not considered a סכנה.⁸

For example:

We may not be מחלל שבת for minor stomach cramps even though it is an internal pain.

2. Severe internal pains, however, are considered a ספק סכנה because they may be an indication of a physical disorder.⁹

For example:

1) If someone experiences severe pains in his stomach, he should seek medical help since this may be an indication of appendicitis or another dangerous illness.

2) If someone suspects kidney stones or gall stones, one may be מחלל שבת

3) If someone experiences chest pains which may be an indication of heart failure he must seek immediate medical attention.

3. The teeth and gums are also considered internal organs.¹⁰ This applies only if there are severe pains that affect his entire body. Minor toothaches, however, are not considered a danger.¹¹

For example:

1. If someone has a severe toothache and swelling occurs, one may be מחלל שבת since this may be an indication of an infection which is a סכנה.¹²

2. An abscess in the mouth is considered a סכנה.¹³

In a situation that a doctor examined the patient and feels that there is no danger, or when the exact illness is known and there is no danger in waiting until after שבת, one may not be מחלל שבת.¹⁴

מכה שאינה של חלל EXTERNAL DISORDERS

Normally, external disorders do not constitute a סכנה.¹⁵
However, there are a few exceptions:

- (a) Any puncture wounds caused by metallic substances are considered a סכנה.¹⁶
- (b) Any puncture wounds caused by dirty objects are considered a סכנה¹⁷ because of the possibility of infection.¹⁸
- (c) Any wounds on the top part of the hand or foot are considered a סכנה.¹⁹

נשיכות עוקצות BITES AND STINGS

1. A person who is bitten by a rabid animal is considered בסכנה.²⁰ Even if one is unsure whether the animal is rabid, he should still be מחלל שבת.
2. A person who was bitten by a poisonous animal, such as a snake or scorpion, is also considered בסכנה.²¹ If one is unsure whether or not it was poisonous, he should still be מחלל שבת.²²
3. A person who was stung and experiences an allergic reaction is considered בסכנה.²³

DANGER TO THE EYE

In most circumstances, When there is a danger of losing a limb, one is not allowed to be מחלל שבת (see Section 2).²⁴ However, חז"ל teach us that the loss of an eye is considered a סכנה, and therefore one may be מחלל שבת to save it. In order for the condition to fall into the category of סכנה, the eye must either be full of puss, tearing profusely from pain, or bleeding.²⁵ Sudden blindness or flashes in the eye may also indicate a danger.

If the eye is almost healed, yet these symptoms persist, it is no longer considered a סכנה.²⁶

A mild case of conjunctivitis is not considered a danger.

FEVER

A person running a high fever is considered בסכנה.²⁷ If there is a slight fever but it is due to an internal illness, one may be מחלל שבת. There is a controversy in the פוסקים as to what temperature is a person considered בסכנה. ר' משה פיינשטיין זצ"ל. rules that for an adult, a reading of over 102F is considered a סכנה.²⁸ A child who seems to be suffering immensely, even a reading of over 100°F, is considered to be in a סכנה. Other פוסקים disagree and rule that one must have a very high fever in order to be considered בסכנה.²⁹

An infant under the age of three months is considered in danger even for a low fever if the cause is unknown.

GENERAL LIST OF DISORDERS WHICH ARE CONSIDERED A סכנה

Note: As stated before, for any condition where there is even a possible danger to one's life, one must be מחלל שבת if necessary. The following is a partial list of disorders that are considered a סכנה.

**THIS IS NOT A COMPLETE LIST,
and when in doubt, one must be מחלל שבת if necessary.**

1. heart attack³⁰ (chest pains, feeling of pressure on chest, shortness of breath)
2. difficulty in breathing (asthma attack, choking etc.)
3. stroke³¹ (confusion, if a person stops talking or starts talking nonsensical things)
4. internal bleeding³² (black stool, coughing up blood, vomiting dark brown substance)
5. severe external or prolonged bleeding³³
6. wounds which become overly swollen³⁴ or reddened
7. splinters beneath the nail³⁵
8. wounds incurred by dirty objects³⁶
9. wounds incurred by metallic objects³⁷
10. rabid animal bites³⁸
11. poisonous snake and scorpion bites³⁹
12. insect bites to allergic persons⁴⁰

13. broken bones (if they are protruding from the skin⁴¹ or are overly swollen, or if dizziness occurs)
14. spinal injuries⁴²
15. severe bumps on head (danger of concussion)⁴³ or if there is unconsciousness (even temporary)
16. heat or sun stroke⁴⁴
17. a woman who gave birth⁴⁵
18. loss of consciousness⁴⁶
19. very high fever⁴⁷
20. seizures⁴⁸
21. consumption or inhalation of poisons⁴⁹ or corrosives
22. a woman who is bleeding during pregnancy
23. significant burns to the body
24. shock

OTHER EXAMPLES OF פיקוח נפש

1. If a small child gets locked in a room, one may be מחלל שבת to release him.⁵⁰ The reason for this is that it is a סכנה for a child to become excessively frightened. Similarly, if a child becomes lost, one may be מחלל שבת to locate him because of the possible danger.⁵¹

For example:

If a young child gets locked in a room, and the only way to release him is by unscrewing the doorknob, one must do so. If help is needed, he may telephone the fire department for help.

2. In situations of impending disaster such as fire, flood, earthquake or war, one must be מחלל שבת whenever the need arises.⁵²

3. If a wall or a building collapse and there is a possibility of a living Jewish person underneath the rubble, one must be מחלל שבת to save him.⁵³

4. If a person is being forced to commit a grave sin, one may not be מחלל שבת to prevent him from doing so. However, if the sin involves the ג' עבירות (ע"ז, גלוי עריות, שפיכת דמים), and there is a possibility that the person would give up his life על קידוש השם, then one may be מחלל שבת to save him. This case has become one of a person in סכנה.⁵⁴

5. It is a סכנה for a child not to eat or drink for an entire day, and depending on the age of the child it may also be a סכנה should he not eat for part of the day. If one has nothing to feed his child, he may be מחלל שבת to obtain some food.⁵⁵

For example:

1. If one is stuck on the road for Shabbos and has no more food for his child, he may go to the store (if the child cannot walk there) to buy food and may carry it back even through a רשות הרבים (if he cannot do a שינוי).

2. If a child will only eat a specific food, one may cook the food to feed the child if there is no other alternative.

CHAPTER II

DIAGNOSING A סכנה

As mentioned in the introduction, one must be מחלל שבת not only when there is a definite danger to one's life, but even when there is only a possible danger. If the person's present illness is not one of danger, but could worsen and become so, one must be מחלל שבת for him, as well.⁵⁶ This chapter will deal with the laws of determining what constitutes a סכנה.

DOCTOR'S DIAGNOSIS

1. If any doctor feels that an illness or condition is a סכנה one must be מחלל שבת if necessary.⁵⁷ This applies to both Jewish or non-Jewish doctors.⁵⁸ Whenever possible, one should ask an Orthodox Jewish doctor.
2. If there is a disagreement between two doctors as to whether an illness is a סכנה or not, one is still מחלל שבת. If, however, one doctor is a specialist and says that the condition is not a סכנה, we must listen to him and not be מחלל שבת.⁵⁹
3. If two doctors feel that an illness is not a סכנה, and a third feels that it is a סכנה, one must go according to the majority and not be מחלל שבת.⁶⁰ However, if one of the doctors is a specialist in the field and feels that the situation is a סכנה, one should listen to the specialist and be מחלל שבת.⁶¹
4. If **two** doctors feel that an illness is a סכנה, then regardless of how many feel it is not a סכנה, we consider it a סכנה and one may be מחלל שבת.⁶²

PATIENT DIAGNOSIS

1. Chazal teach us לב יודע מרת נפשו, "a heart knows the bitterness of his soul". This means that the patient himself could sense if his sickness is severe enough to warrant חילול שבת. Therefore, if the patient feels that חילול שבת is necessary, one must be מחלל שבת for him.⁶³
2. If the patient feels that there is a סכנה, even if a doctor feels that there is no danger, we are still מחלל שבת.⁶⁴

3. This law applies only if the patient's illness was not diagnosed yet. However, if the illness was diagnosed and the patient feels he needs a specific medicine, but the doctor disagrees and feels that the medicine is not necessary, then one may not מחלל שבת.⁶⁵ If the patient has had a similar experience in the past and claims that he has benefited from the medicine, he may be מחלל שבת.⁶⁶

4. If the patient feels that there is no need for חילול שבת yet, but the doctor feels that there is a danger, or even only a possible danger, we are מחלל שבת.⁶⁷

5. If the patient is stubborn and refuses to be מחלל שבת, it must be explained to him that what he is doing is a חסידות של שטות (foolish righteousness), and that by refusing, he is doing an עבירה, not a מצוה.⁶⁸

OTHER SITUATIONS

1. In situations when the status of the illness or condition is unknown, any Jewish person is believed if he says that an illness is a סכנה or even a possible סכנה.⁶⁹ However, in such circumstances, one should preferably use a non-Jew. If there is no non-Jew available, then even a Jew may be מחלל.⁷⁰

2. A non-Jew who is not a doctor or a paramedical person is not believed if he says that an illness is a סכנה and one may not be מחלל שבת based on his words.⁷¹

CHAPTER III.

FOR WHOM MAY WE BE מחלל

One must be מחלל שבת if necessary for any Jewish person who's life is in danger. This applies to man, woman, or child.⁷²

FETUS

1. If a fetus is in danger one must be מחלל שבת to save it.⁷³ Even if the fetus is less than forty days old, we may be מחלל שבת to save it.⁷⁴

For example:

a) If a woman begins to bleed heavily, one may call a doctor and have it checked out.

b) If a woman stops feeling fetal movements, she may call a doctor and have it checked out.

2. Years ago, a child born in the eighth month was unable to survive and was considered a נפל. It was not permitted to be מחלל שבת for it. In our times, with the use of incubators, it is possible for a baby born in the eighth month or earlier to survive. Therefore, the Poskim rule that nowadays one may be מחלל שבת even for a baby born in the eighth month.⁷⁵

Similarly one may be מחלל שבת for a premature baby who has the possibility of surviving by maturing in an incubator.⁷⁶

In these situations, if the baby will surely not be able to live and it is only a question of חיי שעה (extending life) one may not be מחלל שבת.⁷⁷

חיי שעה EXTENDING LIFE

In a situation when saving the person's life entirely is not possible, one must still be מחלל שבת to extend his life. Every moment of one's life is precious and we are מחלל שבת to extend it for even a second.

CHAPTER IV.

WHAT ONE MAY DO

When a person's life is in danger, one must do everything possible to save his life. However, one may only do those actions which are needed to save his life. One may not be מחלל שבת just in order to avoid a great inconvenience.

For example:

If someone must carry nitroglycerin or adrenaline, etc. with him at all times, he may not carry it with him to Shul if he must go through a רשות הרבים (public domain), since he has the alternative of staying home. Such a person should stay at home. (Note: if one only has to go through a כרמלית, he may carry it in an abnormal way in order to go to Shul.) In a case of necessity, a Rabbinic authority should be consulted.

2. From Wednesday on, one should preferably not begin treatments or procedures which can be delayed if this would cause a need for חילול שבת. The reason for this is that from Wednesday a person is obligated to ensure that no חילול שבת will have to be done on שבת.⁷⁸

For example :

A person needs surgery. For a few days after the surgery he will have to take blood tests. If the situation is not urgent he should have the surgery done from Sunday through Tuesday. If the surgery was done within three days of Shabbos he still must do what ever is necessary.

CONFIRMED TREATMENT

A person may only be מחלל שבת to undergo a confirmed and proven treatment. One may not be מחלל שבת to use an unproven treatment.⁷⁹ However, even if the success rate is only minimal for a proven treatment, one may still be מחלל שבת to have the treatment done.⁸⁰

For example:

One may have chemotherapy done on Shabbos if it cannot be postponed. This is permissible because this treatment can help cure people. However, if

someone wants to use a homeopathic medicine which has no proven success rate as of yet, he may not be מחלל שבת to obtain it.

NEEDS WHICH ARE NOT ESSENTIAL

Many Poskim rule that one may be מחלל שבת for a סכנה to provide even health needs which are not necessary in saving his life. However, some Poskim rule that one may only be מחלל שבת for needs of great necessity or for those that are necessary in saving the person's life. One should be איסורי דאורייתא concerning מחמיר.

For example:

1. If a doctor feels that a certain medicine would be beneficial for the patient, yet, not essential, there is a מחלוקת among the Poskim as to whether or not it is permitted to be מחלל שבת to obtain it.

If there is even a slight possibility that the patient's condition may worsen without this medicine, then one should be מחלל שבת, to obtain it.⁸¹

2. A patient in a hospital who needs to relieve himself, may buzz for a nurse. Preferably he should do this in an abnormal way.

EMOTIONAL NEEDS

In many circumstances the emotional well being and calmness of the patient may have an impact on his recovery. In such situations, one may be מחלל שבת for needs which will emotionally uplift or calm the patient.⁸²

For example:

Someone may accompany the patient to the hospital to help calm the patient if this would benefit his recovery process.

If there is a concern that the patient's mind will become unstable if every request is not obeyed, then one may even be מחלל שבת when necessary to do whatever the patient requests.⁸³

For example:

Normally, one may not send a message to a Tzadik to daven for a sick person if it involves חילול שבת. However, if not doing so would cause the patient to become emotionally unstable one may do so on שבת.

KOSHER FOOD

1. One may be מחלל שבת to obtain kosher food for a patient if the only other available food is not kosher.⁸⁴ If, however, the patient does not mind eating non-kosher food or if the food is only Rabbinically forbidden one should not be מחלל שבת.⁸⁵
2. One should not be מחלל שבת to obtain kosher food for a child.⁸⁶

MINIMIZING THE חילול שבת

In necessary situations, one may do any prohibition for a חולה שיש בו סכנה. However, when no harm will come to the חולה, or when delaying will surely not increase the danger, the חילול שבת should be minimized as much as possible.⁸⁷

1. Any מלאכה which is done in an unusual way is not a איסור דאורייתא (Torah prohibition), but rather, a איסור דרבנן (Rabbinical prohibition). Therefore, if possible, one should do things in an abnormal way in order to diminish the amount of חילול שבת being done.⁸⁸

For example:

- A) If someone must carry medicine through a רשות הרבים (public domain), he should try to carry it in an unusual manner, such as under his shirt.
- B) If someone must turn on a light for the patient, he should turn it on with his elbow, or in any other unusual manner.
- C) A telephone should be knocked off in an unusual way i.e. using an elbow.
- D) Many times a doctor or hospital requires written consent for medical procedures done. If possible, one should write the consent in an unusual fashion.

E) One who is suffering from asthma may turn on a nebulizer. If possible, it should be turned on in an unusual way.

2. Even if only a Rabbinical prohibition is involved, one should try to do it with a שינוי.

IN SITUATIONS WHERE DOING A שינוי WILL CAUSE A DELAY WHICH MIGHT BE DANGEROUS, ONE SHOULD BE מחלל IN THE NORMAL WAY ! ⁸⁹

למעט בשיעורים MINIMIZING THE AMOUNT

1. One may be מחלל שבת to obtain the quantity of food needed for the patient, but not for anything more than that amount required.⁹⁰

For example:

A) When necessary, it is permitted to cook food for a חולה, but only the amount that is required. If there is an excess of food in the pot, it should be removed prior to placing the pot on the fire to cook.

B) If medicine must be carried through a רשות הרבים for a חולה, one should only carry the amount necessary for Shabbos. If the medicine is being purchased in a pharmacy, one should spill out or give back to the pharmacist all of the extra medication not needed for that Shabbos (assuming he will be able to obtain more after Shabbos).

C) In situations where trying to be careful would incur a delay which might be dangerous, one should not "waste" time trying to minimize the amount of חילול שבת being done.

EMERGENCY TRANSPORTATION

1. If possible one should use a non-Jewish driver. This would avoid many complications.

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2. If a Jewish driver is being used one should try to minimize the חילול שבת as much as possible.

a) The doors should be opened and closed in a abnormal way since a light will normally go on and off.

b) Excess objects should be removed from the vehicle.

c) The ignition should be turned on in a abnormal way.

d) One should try to avoid unnecessary stops and should coast to a stop when necessary to avoid turning on the brake lights.

d) One should go to the closest facility unless the more distant one is superior.

e) When reaching the destination the motor may not be tuned off. One should hint to a non-Jew to turn off the motor. If this is not possible one may tell a non-Jew to turn it off.

IN SITUATIONS WHEN TRYING TO MINIMIZE MAY CAUSE A DELAY WHICH MIGHT BE DANGEROUS, ONE SHOULD DO EVERYTHING IN THE NORMAL WAY

RETURNING HOME

1. An ill person or one who accompanies an ill person may not do any Torah prohibitions in order to return home.

2. If the person is still ill Rabbinical prohibitions are permitted if necessary. He may be driven back home by a non-Jewish driver if necessary. There is a dispute whether the one accompanying is permitted to return home. A Rabbinical authority should be consulted.

3. Laws pertaining to medical personal are complicated and a competent authority should be consulted.

DOING A מלאכה THROUGH A NON-JEW OR A CHILD

1. One is not obligated to, and according to many Poskim, should not ask a non-Jew to do the מלאכה needed, but rather he should be מחלל שבת himself.⁹¹ Of course, if the non-Jew is more competent, one should ask the non-Jew.
2. One does not have to and should not give the tasks which require חילול שבת to a child.⁹²

The reason for the above two הלכות is that Chazal were concerned that if these tasks were always given to non-Jews or children, people would mistakenly assume that חילול שבת is only permitted through non-Jews and children. If a situation would later arise where a non-Jew or a child would not be available, people would refrain from being מחלל שבת .

DOING מלאכה THROUGH A WOMAN

1. When it is necessary to be מחלל שבת for a חולה שיש בו סכנה, if both a man and woman are available, the man should be the one to be מחלל שבת.⁹³ The reason for this is that Chazal were concerned that women might mistakenly think that it is preferable not to be מחלל שבת, and therefore the men are refraining from it. This would cause women to also refrain. Therefore, Chazal declared that men should preferably be given the tasks that will entail חילול שבת.

NEEDLESS TO SAY: If the woman, child, or non-Jew are more capable, or if there is no man present in an emergency situation, any one of them should do the tasks and be מחלל שבת.⁹⁴

CHAPTER V

LAWS OF YOLEDES

A woman who gave birth or is in the process of giving birth, is considered a *חולה שיש בו סכנה*, and one must be *מחלל שבת* for all her necessary needs.⁹⁵

WHO IS CONSIDERED A יולדת

1. A woman is considered a yolede from the time she experiences one of the following three signs:

(A) when she is sitting on the birthing table or bed and is ready to give birth.⁹⁶

(B) when she is bleeding heavily⁹⁷

(C) when she is no longer able to walk on her own⁹⁸

Once a woman experiences any one of these signs, she has the laws of a Yolede and one must be *מחלל שבת* for her necessary needs.

2. Even before experiencing one of these symptoms, one must be *מחלל שבת* for her needs which will not be able to be done at a later time.⁹⁹

For example:

One may call the doctor and drive to the hospital when necessary even before experiencing any of these signs since it cannot be pushed off to a later time. It is extremely important to ensure that there is ample time to reach the hospital.

3. If a woman is unsure if the labor is true or false, she must still have it checked out. We are *מחלל שבת* even for a possible danger to a life.¹⁰⁰

THE PERIOD OF A YOLEDES

THE FIRST THREE DAYS:

1. A woman is considered a Yolede from the time of the onset of any of the three symptoms discussed earlier, until three days after the delivery.¹⁰¹ Even

if the woman herself feels that being מחלל שבת is unnecessary, one is still מחלל שבת for her needs.¹⁰²

2. There is a dispute among the Poskim how to calculate these three days. Most Poskim rule that these are a complete three days, e.g. seventy-two hours from the time of birth. Others rule that the day of delivery is considered one day regardless of the time of the day the baby was born. In that case, one may only be מחלל שבת for two days after the day of the delivery. Preferably, a non-Jew should be used for any חילול שבת during the questionable time.¹⁰³ If a non-Jew is unavailable, even a Jewish person may be used.¹⁰⁴

For example:

A woman delivered a baby at 2:00 p.m. on Wednesday, causing her third day to fall out on שבת. It is questionable whether one may be מחלל שבת for her, and when necessary, a non-Jew should preferably be used. If this is impossible, even a Jewish person may be used until 2:00 p.m. on Shabbos day.

3. A woman who was discharged from the hospital on שבת and her needs are not properly being attended to making her conditions very unpleasant, may be driven home on Shabbos since she is considered a חולה שיש בו סכנה. Preferably, one should use a non-Jewish driver. However, if she has an alternative to stay in the hospital even if it will cost a great sum of money, she may not return home on Shabbos. If she however feels that it would be better for her at home she may be driven home by a non-Jew.

THREE DAYS UNTIL SEVEN DAYS:

1. From three days after the delivery until seven days after the delivery, one is also מחלל שבת in necessary situations. However, if the Yoledes feels that מחלל שבת is unnecessary, we are not מחלל שבת.¹⁰⁶

2. If a nursemaid or a doctor feel that חילול שבת is necessary, we are מחלל שבת even if the Yoledes feels that it is unnecessary.¹⁰⁷

3. If the Yoledes herself feels that חילול שבת is necessary, even if the doctor feels that it is unnecessary, we are still מחלל שבת for her.¹⁰⁸

AFTER SEVEN DAYS:

1. After seven days a woman is no longer considered to be בסכנה. However, she still has all the laws of a חולה שאין בו סכנה until thirty days after the birth.¹¹⁰ (The laws of a חולה שאין בו סכנה will be discussed in Chapter).
2. Many Poskim rule that if a Yoledes feels cold, even after seven days, she is considered a בסכנה and one may even be מחלל שבת to warm her.¹¹¹ Others maintain that this only applies until seven days after the birth. Therefore a non-Jew should be used in such circumstances.¹¹²
3. A woman who had a casearean birth may be in danger for longer than seven days.

MISCARRIAGE AND STILLBORN

If a woman חיי has a miscarriage or a stillbirth, all the laws of a Yoledes apply to her.¹¹³ If the miscarriage was within forty days of conception, she does not have the laws of a Yoledes.¹¹⁴

WHAT MAY ONE DO FOR A יולדת

1. One should do everything necessary in order to ensure the health of the Yoledes and her baby, even if it will entail חילול שבת.
2. Preferably, one should do any necessary מלאכה with a שינוי (an unusual way). If this is not possible, one should do whatever is necessary in the normal way.¹¹⁵

SPECIFIC LAWS REGARDING A YOLEDES

1. Once a woman reaches her ninth month, she should try to make all the necessary preparations to avoid or diminish חילול שבת in case she will go into labor on Shabbos.¹¹⁶

For example:

(A) If one will be using a taxi to go to the hospital, one should set aside money for the driver before Shabbos. If possible, arrangements should be made before Shabbos to be able to pay the taxi driver after Shabbos.

(B) If one has a speed dialer on his telephone, he should install the numbers of the doctor and the taxi before Shabbos. This would diminish the amount of חילול שבת being done.

2. A woman is not required to stay in the vicinity of the hospital for Shabbos on the chance that she might go into labor on Shabbos. However, if she feels the onset of labor before Shabbos begins, even though she would not regularly go to the hospital yet, she should nevertheless go this time in order to avoid חילול שבת.¹¹⁷

3. If one has to call a taxicab on Shabbos, he should preferably knock the telephone off the hook and dial in an unusual way in order to diminish the amount of חילול שבת.¹¹⁸ The telephone should not be returned to the hook unless an essential call is expected.

4. Preferably, if one must go to the hospital on Shabbos, he should use a non-Jewish driver.¹¹⁹ When using a non-Jewish driver, one should ask the driver to open and close the car door, since this action normally causes a light to go on and off in the car.¹²⁰ The driver should be asked to carry all the essentials if possible. If the driver must be paid on Shabbos one should not accept any change.

5. If only a Jewish driver is available, he may be used to drive the woman. However, he should try to minimize the amount of חילול שבת in every possible way.¹²¹

6. A woman may go to the hospital where she is registered, even if there is a hospital closer to her home.¹²² This law applies only if her doctor practices there or the services are better than the closer hospital. However, if the only

consideration for using the more remote hospital is monetary, then one may not go to that hospital on Shabbos.¹²³

7. A woman may be accompanied by her husband or any one she needs to coach her throughout the labor.¹²⁴

8. Once the woman arrives at the hospital, she may no longer be מחלל שבת until she experiences one of the three symptoms discussed earlier. However, she may ask a non-Jew to attend to her needs, even if they will involve חילול שבת. she may therefore use the elevator if a non-jew pushes the buttons. Rabbinical prohibitions are permitted to be done in an unusual way since she generally would be a נפל למשכב and has the laws of a סכנה .

9. A woman may have an epidural on Shabbos when necessary.¹²⁵

10. If upon reaching the hospital, the woman finds out that the labor is false, she may not return home on Shabbos. If she is in pain or in a condition to be considered a סכנה , חולה שאין בו סכנה , and it would help her to be at home, she may return home with a non-Jewish driver providing that she is within the Tchum of Shabbos.¹²⁶

LAWS PERTAINING TO NURSING

1. A woman may express her milk in order to encourage the baby to start nursing.¹²⁷

2. A woman may not express milk to store for later use. This is prohibited because of the מפרק of מלאכה.¹²⁸

3. If the baby needs the milk but cannot nurse, the milk can only be expressed through a non-Jew. In a situation where there is no non-Jew available and the child will have nothing to eat, she may express the milk. However, if it is possible to nurse even with extreme difficulty, one may not be מחלל שבת.

4. If a woman is engorged and is in pain, she may express her milk onto the floor or any place where it will go to waste.¹²⁹ If she must use a pump she may use a manual pump and should put a substance into the pump which would

immediately render the milk unfit for consumption, e. g. detergent. If an electric pump must be used an Halacha authority should be consulted.

5. If a woman's nipples are sore and painful, she may not rub oil into them. If the soreness will inhibit the feeding of the baby, it is permitted.¹³⁰

6. Ointments, such as Vaseline, should be dabbed with a שיני, not rubbed into the nipples.¹³¹

SECTION II.

סכנת אבר DANGER TO A LIMB**INTRODUCTION**

When there is a danger in losing a limb, but no danger to the person's life, one may not violate a Torah prohibition to save the limb.¹³² Rabbinical prohibitions, however, are permitted to be performed.¹³³ The following chapters will discuss what is considered a סכנת אבר, which actions are permitted and which are prohibited in such circumstances.

WHAT IS CONSIDERED A DANGER TO A LIMB

1. When there is a danger in losing a limb it is considered a סכנת אבר.
2. If there is no danger in losing the limb entirely, but there is a danger that the limb will become handicapped, it is also considered a סכנת אבר.
3. When there is a danger of losing an eye, however, it is considered a סכנת נפשות and one must be מחלל שבת when necessary to save it. (see Section 1).¹³⁴

PERMISSIBLE ACTIONS

One may not violate any Torah Prohibition in order to save a limb. However, Rabbinical prohibitions are permissible.¹³⁵

אמירה לעכו"ם Telling A Non-Jew

One may ask a non-Jew to do any מלאכה to salvage a limb.¹³⁶

For example:

If one's finger is severely cut and there is a danger of losing the finger if not promptly treated, one may ask a non-Jewish doctor to treat it on Shabbos regardless if a מלאכה will be done. A non-Jew may be asked to drive him to the emergency room, if necessary. (NOTE: The חולה must be careful not to

open the car doors himself as this would normally cause a light to be turned on). (NOTE: If there is a danger of infection even a Melocho may be done.)

מלאכה ע"י שינוי: A Prohibition Done In An Unusual Way

Only a מלאכה done in the usual way is forbidden from the Torah. A מלאכה done in an unusual way is only a Rabbinical prohibition. Therefore, if there is a danger to a limb, one may do a מלאכה in an abnormal way.¹³⁷

For example:

A person has a very severe infection, and there is a danger of the limb becoming permanently handicapped if not treated promptly. The necessary medicine must be carried through a רשות הרבים (public domain) in order to reach the חולה. One may carry it in an unusual way, i.e. under his shirt, because this would only be a Rabbinical prohibition.

(Note: most places are a כרמלית and carrying only involves a Rabbinical prohibition.)

מוקצה muktza

1. One may move muktza object for someone who is in danger of losing a limb.**For example:**

If someone breaks a hand or finger and there is a danger of losing it unless it will be splinted promptly, one may use a piece of wood to use as a splint.

Medication on Shabbos

Normally, one may not take medication on Shabbos. In a situation of סכנת אבר, it is permitted.¹³⁸

For example:

If someone has a severe infection which could spread and handicap a limb, one may take medication on Shabbos to treat it.

Melocho done by two people

Any מלאכה normally done by one person is only prohibited from the Torah if done by one person. If it is done by two people, it is a Rabbinical prohibition.

For example:

If a splint is needed to set a broken bone (in a situation of a סכנת אבר), but it must be brought in through a רשות הרבים, two people may carry it since it would normally be carried by one person.

Using a telephone

According to most Poskim talking on a telephone only involves a Rabbinical prohibition.¹³⁹ It is therefore permissible to talk on a telephone in a situation of סכנת אבר. The lifting of the phone off the hook and the dialing may involve a Torah prohibition and should be done in an unusual way (i.e. with an elbow and with the pinky finger).

OTHER RABBINICAL PROHIBITIONS

There are many other Rabbinical prohibitions which are permitted to be done for סכנת אבר. When in doubt, one should ask a competent authority. (See also section three for prohibitions which are set aside even for situations where there is no סכנת אבר.)¹⁴⁰

SECTION 3

חולה שאין בו סכנה

WHO IS CONSIDERED A חולה שאין בו סכנה

1. Any person who is ill to the extent that he has to be in bed, is a נפל למשכב.¹⁴¹
2. Even if one is physically able to walk around, yet he feels that he really should be in bed, he is still considered a נפל למשכב.
3. One who feels sick throughout his entire body but could walk around and is not bedridden has the laws of a נפל למשכב.¹⁴²

For example:

If one has a fever and does not feel well, even if he is able to walk around, he is considered a חולה כל גופו since he has a condition which affects his entire body. Any condition in which there is severe pain will generally go under this category.

THE NEEDS OF CHILDREN

1. The laws of חולה שאין בו סכנה apply to small children for all their health needs.¹⁴³

There is a dispute among the Poskim up to what age this הלכה applies. Some Poskim say until the age of nine or ten¹⁴⁴ (depending on the child's strength). Others maintain that this applies only to smaller children.

2. If a child has nothing to eat for the entire Shabbos, or part of Shabbos depending on the age of the child, it is considered סכנת נפשות and if necessary one may be מחלל שבת to obtain food for the child.¹⁴⁵

צינה COLD

Chazal teach us "הכל חולים אצל הצינה" (every one is considered ill in regard to cold). Therefore, it is permissible to ask a non-Jew to turn on the heat on a very cold day. If there are small children present it is permissible to tell the non-Jew to turn on the heat even if it is not such a cold day.¹⁴⁶ (In such a circumstance it is permissible for an adult to derive benefit from the heat.)

WHAT ONE MAY DO

Normally, one may not do any Torah prohibition or Rabbinical prohibition for a חולה שאין בו סכנה. However, there are some exceptions.

אמירה לעכו"ם TELLING A NON-JEW

1. One may ask a non-Jew to do any מלאכה for a חולה שאין בו סכנה.¹⁴⁷

For example:

1. If one needs to cook food for a חולה שאין בו סכנה, he may ask a non-Jew to cook the food for him.

Note: בישול עכו"ם, food cooked by a non-Jew, is permitted on Shabbos for a חולה שאין בו סכנה.¹⁴⁸ In regard to the utensils, see footnote.

2. A non-Jewish doctor may set a broken bone and put on a cast if the patient is in a lot of pain.

RABBINICAL PROHIBITIONS

Any Rabbinical prohibition is permitted if it is done in an unusual way.¹⁴⁹

For example:

1. If one needs medicine which must be carried through a כרמלית (a place which is not a רשות הרבים but lacks an eiruv), one may carry it in an unusual way, i.e. under his shirt. This is only a Rabbinical prohibition and is therefore permitted in this abnormal way.
2. According to some Poskim if the Rabbinical prohibition cannot be done in an unusual way, one may do it in the normal way.¹⁵⁰

מלאכה ע"י שינוי

A Torah Prohibition done in an abnormal way is only a Rabbinical prohibition. There is a dispute among the Poskim whether this is permitted in a case of a חולה שאין בו סכנה.¹⁵¹ One should only use this Heter when there is no alternative.

MUKTZA

Using or moving muktza items is questionable. Therefore, one should only move them with a שינוי.¹⁵² If this cannot be done some Poskim permit it in the normal way.¹⁵³

For example:

If one severely sprains a finger and is in great pain, he should preferably use a non-muktza item as a splint. If this is not possible, even a muktza item may be used.

רפואה בשבת MEDICATION

In a situation of minor aches and pains it is forbidden to take medication on Shabbos (see section four). There is a dispute among the Poskim whether a חולה שאין בו סכנה is permitted to take medication on Shabbos.¹⁵⁴ The Minhag of most people is to allow the taking of medication on Shabbos for a חולה שאין בו סכנה.

For example:

(A) If one is bedridden or feels sick throughout his body as a result of a severe headache, he may take medication to relieve the pain. (This applies to any severe pain, such as a severe toothache, etc.)

(B) If a baby has a bad diaper rash, one may dab on ointment to the affected area on Shabbos.

(NOTE: One should dab the ointment in an unusual way(i.e. the back of a spoon) without smearing it so as not to do the מלאכה of ממרח.)

(C) One may be given an enema or take laxatives for constipation if the pain is severe and renders him in the category of חולה שאין בו סכנה.¹⁵⁵

(D) If someone has a very bad case of diarrhea he may take the necessary medication. (Note: if a small child has a severe case of diarrhea it could be dangerous, and a doctor should be contacted.)¹⁵⁶

(E) Someone who is extremely nervous and cannot function properly without tranquilizers has the law of חולי כל הגוף and may take tranquilizers.

SHOTS AND INJECTIONS:

Many Poskim permit Subcutaneous and intramuscular injections on Shabbos for a חולה שאין בו סכנה.¹⁵⁷ injections into the vein, however are not permitted.

NOTE: If the area must be cleaned with alcohol, one should not use a cotton swab. This is מפרק of מלאכה under אסור. One should clean it with his hand instead. A Q-tip may also be used.

2) If one needs to apply a cold compress on a wound, he may take a clean towel and wet it

NOTE: One must be careful not to squeeze out the towel as this would be the מלאכה of סחיטה.¹⁵⁸

Measuring temperature and blood pressure

1. It is permissible take the temperature of a חולה שאין בו סכנה¹⁵⁹

2. Similarly, one may take his blood pressure on Shabbos.

OTHER RABBINICAL PROHIBITIONS

1. There are many other situations where a Rabbinical prohibition would be permitted to be done in an abnormal way. A competent Posek should be consulted.

מקצת חולי MINOR ILLNESS

If a person has a minor illness such as a low fever, he may ask a non-Jew to do an איסור דרבנן for him.¹⁶⁰ (However, it is forbidden for him to take medication.)

For example:

If someone with a mild fever is cold and needs a blanket to warm himself, he may ask a non-Jew to bring it to him, even if there is no עירוב (in a כרמלית) because this is only a Rabbinical prohibition.

NOTE: Many places may have the law of a רשות הרבים which would be a Torah prohibition.

SECTION 4

מיחוסים MINOR AILMENTS**Introduction**

One of the thirty-nine Melochos of Shabbos is the מלאכה of טוחן (grinding). The preparation of medication often requires grinding. Chazal were גזר that it is not permitted to use medication on Shabbos lest one forget and grind an ingredient.¹⁶¹ According to many Poskim this prohibition only applies to minor ailments. For ailments which render a person a חולה שאין בו סכנה one may take medication.¹⁶² Only medications which are for healing purposes are forbidden. Certain vitamins and pills are not included in this prohibition since they are not considered a רפואה. This section will deal with this prohibition and other laws regarding minor ailments.

WHAT IS CONSIDERED A MINOR ACHE

1. Any ache or pain which does not involve the entire body, or does not cause a person to be bedridden is considered to be in this category.
(If the person has a minor illness it is considered a חולי - see section 3)

Some examples are:

- a) a minor headache, toothache, or sore throat
- b) mild heartburn or stomach-ache
- c) runny nose, mild cough or congestion
- d) cuts or bruises (NOTE: some cuts are considered a סכנה)
- e) sprained limb
- f.) upset stomach or constipation
- g) minor sunburn
- h) sores in the mouth (NOTE: an abscess in the mouth is considered a סכנה.)
- i) minor backache

RABBINICAL PROHIBITIONS

One may not do any Rabbinical prohibition for someone who has only minor aches and pains. He may not ask a non-Jew to do anything for him, even if it only involves a Rabbinical prohibition.¹⁶³

PROHIBITION OF MEDICATION

1. As explained in the introduction, one may not do anything or take any medication on Shabbos to relieve aches and pains.

For examples:

- a) One may not take Tylenol to relieve a minor headache.
- b) One may not gargle with salt water to relieve the pain of a sore throat.
- c) One may not apply ointment to a sore to relieve the pain.
- d) If one has minor heartburn, he may not take antacid to relieve the pain.
- e) If one has a congested nose, he may not use an inhaler to relieve the congestion.
- f) One may not use tranquilizers for mild conditions.

2. Not only is taking medication prohibited on Shabbos, but doing things for רפואה is also prohibited.¹⁶⁴ However, in cases when the רפואה cannot be accomplished with the use of medicine, in situations of pain, one is permitted to do things for relief.¹⁶⁵

For example:

If a baby is mildly constipated, one may not massage the baby's stomach to relieve the constipation¹⁶⁶ because medication is sometimes used to relieve constipation. However, if someone were to get stung or a bump, he may press on it with the cold blade of a knife to prevent the swelling since this is normally not done with medication.¹⁶⁷

MIXING MEDICINE INTO FOOD

Medications which require to be mixed into food and were mixed into the food before Shabbos, may be taken on Shabbos.¹⁶⁸

For example:

One may prepare Alka Seltzer before shabbos for use on shabbos.

According to many Poskim this Heter applies to any medication which is mixed into food before Shabbos (even if this is not the normal way to take the medicine).¹⁶⁹

For example:

One may crush aspirin into applesauce before Shabbos to be taken on Shabbos.

PREVENTATIVE MEDICATIONS

One may take medication on Shabbos if he is not ill but takes it in order not to become ill.

For example:

If one is fasting on Sunday he may take aspirin on Shabbos in order to prevent himself from developing a headache on Sunday.

2. One may apply oil to his hands in order to prevent them from becoming chapped.

FOODS OF HEALTHY PEOPLE

Even though Chazal prohibited the use of medication on Shabbos, one may eat any food item which a healthy person would eat even if he is only eating for רפואה purposes.¹⁷⁰

For example:

(A) If one suffers from a case of diarrhea, he may eat bananas to relieve himself. Even though his intent is to relieve himself, since it is a food which healthy people eat, it is permitted.

(B) If one has a sore throat, he may suck a candy to relieve the pain since candies are a food which healthy people also eat. Similarly he may mix honey in his tea since healthy people would also do so. However, sore throat lozenges are prohibited since these are normally not eaten by healthy people.

(C) If one is very nervous, he may drink alcoholic beverages even though his whole intention is for its tranquilizing effects.

TREATMENT WHICH DOES NOT HEAL

One may do things which do not actually heal on Shabbos to protect oneself from pain.¹⁷¹

For example:

- a) If someone has an earache, he may stuff cotton into his ear.
- b) If someone gets a cut, he may put on a bandage to protect it.
- c) If someone sprains his arm, he may put on a sling to hold it up.
- d) One may take his temperature on Shabbos to see if he is ill (but not with an electric thermometer).

Normally, applying medicine to a sore, etc. is prohibited. However, one may apply an ointment which healthy people generally use and apply it to his sore.¹⁷²

For example:

One may apply baby oil to irritated baby's skin because it is normal to apply baby oil on a healthy baby.

MEDICATION FOR A HEALTHY PERSON

The prohibition of Chazal not to take medication on Shabbos applies only if one takes the medication for the purpose of רפואה (healing an illness). Many drugs are not considered רפואה and are permitted to be taken on

Shabbos. However, there are certain drugs which even a healthy person is not permitted to take.

SUBSTANCES TO STRENGTHEN ONESELF

1. According to many Poskim, even if someone is healthy but is physically weak, he may not do things or take medication to strengthen himself.¹⁷³
2. One may not have a massage to strengthen oneself.

VITAMINS

A healthy person who wishes to take vitamins in order to stay strong or to prevent himself from getting sick is permitted to take them on Shabbos because his objective is not to heal.¹⁷⁴ However, a person who has a weakness and wishes to take vitamins to strengthen himself is not permitted to take them on Shabbos.¹⁷⁵

SLEEPING PILLS

Sleeping pills are permitted for someone who cannot fall asleep and is in great distress.¹⁷⁶

OTHER CONDITIONS

1. Bad breath: One may gargle with mouthwash to remove bad breath. Bad breath is not considered a sickness and does not go into the category of רפואה.¹⁷⁷
2. Sweet voice: A Chazan may gargle raw eggs in order to make his voice sound sweet. This is also not considered a רפואה.¹⁷⁸
3. Intoxicated person: One may not use medication to sober an intoxicated person if the chosen medication has some medical uses, too. Other non-medicinal methods are permitted because intoxication is not considered an illness.
4. It is permissible to use a deodorant spray on Shabbos (but a stick may not be used).

CUTS, SPLINTERS AND BLISTERS

CUTS

Many types of cuts are considered a סכנה and should be treated accordingly (see section 1).

1. One may clean a cut with alcohol since this does not heal the cut. Antibacterial ointment such as Bacitracin or Polysporin should only be used if there is a danger of infection. In such a situation, it should not be smeared but rather dabbed on the cut.
2. One should not clean or wipe off the blood with a cloth because of the צובע מלאכה (dyeing).¹⁷⁹ A tissue may be used. If there is no alternative, a cloth may be used.¹⁸⁰
3. A bandage is permitted to be used on Shabbos. One should preferably open some bandages before Shabbos. If there are no open bandages, one may tear open the wrapper (being careful not to tear the words). A medicated bandage may not be used on Shabbos. However, if the cut has healed and one wants to use a medicated bandage just for protection, it is permitted.¹⁸¹
4. One should be careful not to make blood come out on Shabbos. This is prohibited because of the איסור of making a חבורה. One should not press very hard on a cut if this would cause more blood to flow out. Similarly, if one's mouth is bleeding, one should not suck out some blood.¹⁸²

STITCHES

Stitching a cut on Shabbos could involve a Torah prohibition. The halochos regarding stitches are as follows:

1. If there is a danger of infection or severe blood loss, then even a Jewish doctor may stitch the cut. One should try to minimize the chillul done as set out in section 1.
2. If there is no danger but the wound will heal better with stitches, a non-Jewish doctor may be used.¹⁸³

SPLINTERS:

If someone gets a splinter on Shabbos, it may be removed. One may use a needle or a tweezers to remove it, but should try not to make any blood come out. Even if the removal will definitely cause some blood to come out, some permit it.¹⁸⁴

BLISTERS:

If someone has a blister with puss and it is painful, he may burst the blister to remove the puss. (Even if the puss is mixed with blood, it is permitted since this blood is not considered נבלע and there is no איסור of חבורה.) However, if his intent is to open it up to let air get into it, it is prohibited, and it is an איסור דאורייתא.¹⁸⁵

DAVENING FOR AN ILL PERSON

1. Shabbos is a day of menucha and joy. One may not do anything which causes distress. Therefore, one may not daven for an ill person on Shabbos since this will remind him of the illness and cause him distress.

2. If the person is a חולה שיש בו סכנה and there is an immediate danger to his life, one may daven for him on Shabbos. If, however, there is no immediate danger, even if there is an eventual danger one may not be mespallel on Shabbos.

If the patient specifically asked that people should be mespallel for him on Shabbos, they may be mespallel.

VISITING SICK PEOPLE

1. One may be מבקר חולה on Shabbos. If, however, by visiting the חולה he will become greatly distressed, he should not visit him on Shabbos.

2. One should not push off visiting for Shabbos merely because that is the day in which he has extra time. Preferably, he should visit during the week. If one is always busy during the week, and his only time available is Shabbos, he may go on Shabbos.

3. Upon taking leave of the חולה, he should not wish him a רפואה שלמה as he would normally say during the week. This would be considered davening for him on Shabbos. Rather he should say, "שבת היא מלזעוק ורפואה קרובה לבא", Shabbos refrains us from crying and a speedy recovery is forthcoming".

HEALTH CARE OF PETS

Even though things for Refuah for people may not be done on Shabbos, one may take care of animals. The reason is that since a person is not as concerned with the health of his animal, he will not forget and come to grind the medicine.¹⁸⁶

1. One may not do things for his pet or animal if it is only for the pleasure of the animal.¹⁸⁷
2. If his animal is sick and needs medication or antibiotics, one may give it on Shabbos.
3. One may not do any Melocho for the need of his animal.¹⁸⁸ If the animal is in pain, he may tell a non-Jew to do a Melocho for it. The reason for this is that אמירה לעכו"ם (telling a non-Jew to do a Melocho), is permitted in situations of צער בעלי חיים.¹⁸⁹

For example:

One may ask a non-Jew to milk a cow on Shabbos, since it would otherwise be in pain. The cow should be milked in a way that the milk will go to waste.

 1

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- ³שֵׁם הִיָּה וּבְמִיָּב שֵׁם
- ⁴שֵׁם הִיָּב
- ⁵אֲגֻרוֹת מֹשֶׁה חֶלֶק אִי סִי קִכִּיז
- ⁶אֲגֻרוֹת מֹשֶׁה חִיָּג
- ⁷סִי שְׂכִיחַ סִיָּג
- ⁸שֵׁם
- ⁹בִּיאֹר הַלְכָה שֵׁם
- ¹⁰שֵׁם הַלְכָה גִי
- ¹¹שֵׁם
- ¹²דַּעַת רוּפָא
- ¹³דַּעַת רוּפָא
- ¹⁴שֵׁם הַלְכָה דִי
- ¹⁵שֵׁם הַלְכָה הִי
- ¹⁶שֵׁם הַלְכָה זִי
- ¹⁷שִׁשְׁכִּי פֶרֶק לִיב סִי־א
- ¹⁸דִּשְׁשִׁיכַ עִיפ רוּפָא
- ¹⁹שְׂכִיחַ הַלְכָה וִי
- ²⁰שֵׁם
- ²¹שֵׁם
- ²²שֵׁם
- ²³דַּעַת רוּפָא
- ²⁴שֵׁם הַלְכָה יִיז
- ²⁵וּלְעֵנִין סִכְנַת עִירוֹן עִי בַחֲכַמַת שְׁלֹמֹה סִי שְׂכִיחַ סַעִי מִיֹּ
- ²⁶שֵׁם
- ²⁷שֵׁם הַלְכָה זִי
- ²⁸אֲגֻרוֹת מֹשֶׁה חִיָּא סִי קִכִּיט עִי־ש
- ²⁹עִיִּין שִׁשְׁכִּי פֶרֶק לִיב הַעִיל וְשׁוּיַת צִיץ אֲלִיעֶזֶר חִיחַ סִי סִיֹּ
- ³⁰עִיִּין שִׁשְׁכִּי פֶרֶק לִיב הַעִיל וְשׁוּיַת צִיץ אֲלִיעֶזֶר חִיחַ סִי סִיֹּ
- ³¹עִיִּין שִׁשְׁכִּי פֶרֶק לִיב הַעִיל וְשׁוּיַת צִיץ אֲלִיעֶזֶר חִיחַ סִי סִיֹּ
- ³²דַּעַת רוּפָא
- ³³דַּעַת רוּפָא
- ³⁴דַּעַת רוּפָא
- ³⁵דַּעַת רוּפָא
- ³⁶דַּעַת רוּפָא
- ³⁷שֵׁם הִיָּז
- ³⁸שֵׁם הִיָּז
- ³⁹שֵׁם
- ⁴⁰דַּעַת רוּפָא
- ⁴¹דַּעַת רוּפָא

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- דעת רופא⁴²
 דעת רופא⁴³
 דעת רופא⁴⁴
 ס' שכ"ס⁴⁵
 דעת רופא⁴⁶
 דעת רופא⁴⁷
 דעת רופא⁴⁸
 דעת רופא⁴⁹
 מ"ב ס"ק לח'⁵⁰
 שש"כ⁵¹
 ס' שכ"ס⁵²
 שם ה"ג⁵³
 שם ה"י מ"ב ס"ק⁵⁴
 כמבואר בהלכות יריכ⁵⁵
 ה"ד בה"ל ד"ה כל⁵⁶
 שכ"ח ה"י⁵⁷
 מ"ב ס"ק כ"ה⁵⁸
 בה"ל ד"ה ואם⁵⁹
 ס' תרי"ח ה"ב⁶⁰
 בה"ל ד"ה ורובא⁶¹
 ס' תרי"ח ה"ד⁶²
 שם ה"א⁶³
 שם⁶⁴
 בה"ל ד"ה ורופא⁶⁵
 בה"ל שם⁶⁶
 ס' תרי"ח ס"ה⁶⁷
 מ"ב ס"ק ו.⁶⁸
 שכ"ח ה"י⁶⁹
 מ"ב ס"ק כ"ח⁷⁰
 שכ"ח ה"י⁷¹
 וכן חרש ושוטה שש"כ⁷²
 ס' ש"ל בה" ד"ה או⁷³
 ועיין בספר נשמת אברהם בענין עובר שאמו חוץ לאמו⁷⁴
 שש"כ פרק ל"ו הע' כ"ד⁷⁵
 שש"כ פלו הע' כ"ד⁷⁶
 שם בשם הרש"ז⁷⁷
 שש"כ פרק ל"ב ס' ל"ג⁷⁸
 שכ"ח מ"ב ס"ק ה' וע"ע שש"כ פל"ה הע' ע'⁷⁹
 בה"ל ד"ה כל שבדילין⁸⁰
 שם⁸¹
 שש"כ⁸²
 בה"ל ד"ה ורופא⁸³
 שם ה"ד⁸⁴
 שם במ"ב⁸⁵
 מ"ב שם⁸⁶
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⁹⁰סִי שְׂכִיחַ סִי טִיז

⁹¹שְׂכִיחַ הִיִּה

⁹²שֵׁם

⁹³שֵׁם

⁹⁴שֵׁם בַּמִּב

⁹⁵סִי שִׁיל רִיא

⁹⁶שֵׁם הִיג

⁹⁷שֵׁם

⁹⁸שֵׁם

⁹⁹מִיב שֵׁם סִיק סִי

¹⁰⁰שֵׁם בַּמִּב

¹⁰¹שֵׁם הִיז

¹⁰²שֵׁם

¹⁰³בִּהִיל שֵׁם דִּיה

¹⁰⁴שֵׁם

¹⁰⁵סִי תִרִיחַ סִיז

¹⁰⁶שֵׁם

¹⁰⁷מִיב שֵׁם סִיק יִיז

¹⁰⁸שֵׁם

¹⁰⁹סִי תִרִיז סִיז

¹¹⁰שֵׁל הִיז

¹¹¹שֵׁם הִיז

¹¹²בִּהִיל שֵׁם

¹¹³סִי תִרִיז בִּהִיל דִּיה יוֹלֶדֶת

¹¹⁴וְעֵינִן סִי תוֹרֶת הַיּוֹלֶדֶת פִּי לִיז סִיג

¹¹⁵סִי שֵׁל הִיא

¹¹⁶שֵׁם בַּמִּב סִיקֵא

¹¹⁷תוֹרֶת הַיּוֹלֶדֶת פִּי יִיב

¹¹⁸תוֹרֶת הַיּוֹלֶדֶת פִּיט

¹¹⁹תוֹרֶת הַיּוֹלֶדֶת פִּי יִיג

¹²⁰תוֹרֶת הַיּוֹלֶדֶת פִּי יִיג

¹²¹

¹²²

¹²³תוֹרֶת הַיּוֹלֶדֶת פִּיז

¹²⁴תוֹרֶת הַיּוֹלֶדֶת פִּיז

¹²⁵תוֹרֶת הַיּוֹלֶדֶת פִּלִּיז

¹²⁶תוֹנוֹרֶת הַיּוֹלֶדֶת פִּכִּיז

¹²⁷אוֹיחַ שְׂכִיחַ סִי לִיה

¹²⁸שֵׁם בִּסִי לִיז

¹²⁹סִי שִׁיל סֵעִי חִי

¹³⁰סִי שְׂכִיז סֵעִי אִי

¹³¹מִפְּנֵי אִיסוֹר מִמַּחֲק

¹³²סִי שְׂכִיחַ הִיִּז

¹³³שֵׁם כְּדַעַת שְׁלִישִׁית

¹³⁴שְׂכִיחַ הִיט

¹³⁵שְׂכִיחַ הִיִּז

¹³⁶שֵׁם

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