

# FINAL OPTIONS ILLINOIS

formerly Hemlock of Illinois • Advancing the Right to Death With Dignity

October, 2015

## California: On the Verge of Victory!

### Strong aid-in-dying bill completes legislative passage, now goes to Governor Brown for signature

In a historic step, the California Senate passed the End of Life Option Act by a vote of 23 to 14 on September 11, 2015. Legislative approval of this wonderful bill is now complete, and next it goes to Governor Jerry Brown. All efforts now turn to urging Governor Brown to sign the bill, or at least not to veto it. If the bill becomes law, California will become the fifth US state to establish the right to aid-in-dying.

"Passing this historic bill is a monumental victory for terminally ill Californians," said Compassion & Choices President Barbara Coombs Lee.

**"We are optimistic Governor Brown will sign this law because he is a compassionate person who understands Californians in agony cannot wait another year."**

Dozens of supporters, some in wheelchairs with oxygen tanks, shed tears as legislators debated the issue on the California Senate floor. Some closed their eyes as others held hands before the legislation passed.

This is a tremendous victory, since California often leads the nation. It's one of our largest, most populous, most diverse and most advanced states. If Governor Brown signs the bill, the right of terminally ill people to aid-in-dying will be established in five states – Oregon, Washington, Vermont, Montana, and now California. And let's not forget Canada, where the Canadian Supreme Court ruled unanimously last February that aid-in-dying is a fundamental human right, part of a broader right to compassionate care at end of life.

Our profound gratitude goes out to the brave California legislators and the many, many dedicated people who came together to establish the right to death with dignity – the ultimate human right.

## The Wall Starts to Crack

### Powerful Op-Ed in JAMA shows rapid shift in medical opinion

### UK doctors support aid-in-dying

The past few months have seen a remarkable flurry of support from prestigious doctors and opinion-makers for legal change to establish the right to aid-in-dying.

The American Medical Association's official position remains opposed to aid-in-dying. But a new Op-Ed in the Journal of the American Medical Association (JAMA) by M. John Rowe III, MD, explains why aid-in-dying is profoundly right, moral, and ethical. Dr. Rowe died in November 2014, but his op-ed and his example will go far to advance our cause. Hopefully, soon the AMA will change its position, and follow the lead of the California Medical Association in letting individual doctors follow their conscience.

**"Death can be easy or it can be utterly, devastatingly miserable. It can be totally destructive of all dignity, privacy, and autonomy, much less comfort. We have all seen it,"** writes Rowe. "I believe it to be morally, ethically, humanely, and mercifully unconscionable that a dying person must accept prolonged suffering if that individual does not wish it. Yet this is the law in 47 of the United States [at the time of this writing] -- and the official position of the American Medical Association. **This sometimes is justified by the myth that physical and emotional suffering at the end of life can be controlled. We all know that this is often not possible.**"

Dr. Rowe died in November 2014, in Medford, Oregon, with the aid of the Oregon Death With Dignity Act. The Op-Ed appeared on pages 877-878 of the Journal of the American Medical Association (JAMA), September 1, 2015, Volume 314, Number 9. Subscribers to JAMA can access the full text online, and for the rest of us, zip on down to your local library. Make copies and give them to your doctors !!!

\*\*\*\*\*

**Inside: Remembering Sheila Reilly....**

## Doctors, Opinion Makers Say Yes to Aid In Dying

### California Medical Association drops opposition to aid-in-dying

In May, the California Medical Association made history by declaring that it is no longer opposed to the passage of aid-in-dying legislation, and that individual doctors may follow their conscience. Even better, the language of the CMA statement shows clearly that the CMA leadership is actually in favor of aid-in-dying.

**“As physicians, we want to provide the best care possible for our patients. However, despite the remarkable medical breakthroughs we’ve made and the world-class hospice or palliative care we can provide, it isn’t always enough,”** said Luther F. Cobb, M.D., CMA president. “The decision to participate in the End of Life Option Act is a very personal one between a doctor and their patient, which is why CMA has removed policy that outright objects to physicians aiding terminally ill patients in end of life options. We believe it is up to the individual physician and their patient to decide voluntarily whether the End of Life Option Act is something in which they want to engage. Protecting that relationship is essential.”

Noting how the views of the doctors have changed over time, Dr. Cobb wrote: “Ultimately, it’s up to the patient and their physician to choose the course of treatment best suited for the situation – and CMA’s new position on physician aid in dying allows for that.”

### The Lancet Endorses Aid In Dying

"The Lancet" is *the* prestigious medical journal in Britain -- the equivalent of the Journal of the American Medical Association in the US. So it's tremendously wonderful news that Richard Horton, the Editor-In-Chief of The Lancet and one of the world's most distinguished physicians, has penned a powerful editorial in favor of aid-in-dying. It's in The Lancet, Volume 386, September 5, 2015.

The editorial discusses an assisted-dying bill proposed for Britain, which has the essential features of the Oregon law. Dismissing the "slippery slope" argument, the editorial points out that "Those who are concerned about unseen family pressures on patients to end their lives can be reassured by experiences

elsewhere, such as in Oregon, where an assisted-dying law has been in operation since 1997."

The editorial points out that "Four out of five members of the public want an assisted dying law," and urges opponents to drop their opposition and instead work to make sure that whatever law is eventually approved "delivers the safest and most humane system for the person living with a terminal condition, while protecting the vulnerable and our profession." It concludes by saying that "Blindly resisting all efforts to meet the expectations of the terminally ill seems more about ideological (or religious) purity than high-quality health care."

### George Will endorses aid-in-dying !!!

In another sign that our movement continues to gain support, widely read and hugely influential conservative columnist George Will has endorsed aid-in-dying in a powerful op-ed in the Washington Post on August 28.

Dismissing worries that legalizing physician-assisted dying would lead to a "slippery slope" and a "further diminution of life's sanctity", Will offers these profound words: **"Life, however, is inevitably lived on multiple slippery slopes: Taxation could become confiscation, police could become instruments of oppression, public education could become indoctrination, etc. Everywhere and always, civilization depends on the drawing of intelligent distinctions."** Truer words were never said.

### Dr. Peter Rogatz Dismantles the 'Do No Harm' Argument

Writing on July 21 in the Albany Times-Union, prominent physician Dr. Peter Rogatz provides this eloquent and profound analysis.

"The assertion [by a Catholic bishop] that allowing doctors to provide life-ending medications to dying patients 'would reverse the ancient Hippocratic oath to do no harm' .. is misleading and disingenuous...**The physician who complies with a patient's plea for final release from dying under unbearable conditions is doing good, not harm,** and his or her actions are surely consonant with the

Hippocratic tradition. **Harm may result not only from the commission of a wrongful act but also from the omission of an act of mercy.** The world is changing and most physicians support aid in dying. Doctors who provide life-ending medicines to dying patients to end suffering are practicing gentle, caring, patient-centered medicine."

Dr. Rogatz is the former director of the Long Island Jewish Medical Center and VP of End of Life Choices New York. Thank you, Dr. Rogatz!

### **The Economist Endorses Aid-In-Dying**

In a strongly-worded editorial on the cover of the June 27 issue, the hugely influential British newsmagazine *The Economist* made it plain: "Doctors should be allowed to help the suffering and terminally ill die when they choose."

Rejecting arguments against legalizing aid-in-dying, the editors made this profound point: **"In a secular society, it is odd to buttress the sanctity of life in the abstract by subjecting a lot of particular lives to unbearable pain, misery and suffering.** And evidence from places that have allowed assisted dying suggests that there is no slippery slope..The evidence leads to the conclusion that...schemes for assisted dying should be bolder."

The issue also included a lengthy article titled "Final Certainty", covering every aspect of our movement. It's a very hopeful sign that change will be coming to Britain soon!

### **The New York Times, the Washington Post, the Los Angeles Times, the Albany Times-Union and The Guardian All Endorse Aid-In-Dying**

In our last issue, we reported that the New York Times, our nation's most prestigious newspaper, made clear in its lead editorial on March 15 that it supports the passage of legislation legalizing aid-in-dying. The editorial quotes radio host Diane Rehm, describing the final suffering of her husband John, "For him to go out that way, not being able to do anything for himself, was an insufferable indignity." The editorial urges legislators to "consider how successfully and responsibly the law has been carried out in Oregon," recognizing the Oregon law's "layers of protection." It's a true milestone.

On June 23, the **Washington Post** editorial board strongly endorsed aid-in-dying.

Discussing fears of a "slippery slope", the Post writes: "Oregon's 18 years of experience do not confirm any of these fears...The state collects data on each case, and there have been no reports of coerced or wrongly qualified assisted deaths. The typical patient is about 71, suffering from terminal cancer, well-educated, with health insurance and enrolled in hospice." The editorial concludes by saying, "Death with dignity laws need to be carefully thought out, written and monitored. Oregon and the states that follow its example show that such care is possible. We hope the rest of the nation catches up with this humane option for life's end."

**Washington DC council member Mary Cheh has introduced an Oregon-style law for our nation's capital,** and the Death With Dignity National Center reports that a new poll shows very strong support for the measure: fully 67% of DC residents favor the bill, with 51% reporting that they favor it "strongly".

The **Los Angeles Times** issued a ringing editorial in favor of California's Aid-In-Dying bill on May 22.

"As polls have shown consistently, a strong majority of Californians believe that terminally ill people should be able to end their lives peacefully and without pain when death is near," the Times wrote. "The state's residents have waited too long; they have watched for nearly 20 years as a right-to-die law in Oregon has granted comfort to the fewer than 800 people who chose that path. During that time, dying people in three additional states have gained that option."

Urging the California Senate to approve the aid-in-dying bill, the editorial pointed out that "The right to make one's own final medical decisions should be obvious by now."

The editors concluded by pointing out that some will always oppose aid-in-dying for religious reasons. **"But religious doctrine should not be allowed to limit the rights of those who believe differently...The [California Medical Association] explained its change of heart by saying that this is a private medical decision between patient and doctor. Exactly."** Amen! We couldn't agree more.

Final Options Illinois  
1055 W Bryn Mawr Ave #F212  
Chicago IL 60660

ADDRESS CORRECTION  
REQUESTED

Exciting Events Coming Up !!!  
Sunday October 18: "How To Die In Oregon"  
Sunday November 1: "Aid In Dying:  
The Ultimate Human Right"

Final Options Illinois –October 2015 – Page 4

---

### Opinion-Makers Support Aid In Dying (continued)

On July 5 the **Albany (New York) Times-Union** published an editorial in favor of legalizing physician aid-in-dying, offering these profound words: **"We recognize that some people and religions view suicide as a sin, and suffering as a path to an affirmation of faith. They're entitled to that view. But such spiritual beliefs are far from universal. They should not be used to hinder intelligent, compassionate laws that respect the right of suffering people, should they choose, to die peacefully, with dignity, on their own terms."**  
Amen !!!!!

### Powerful video in "The Guardian" of plaintiff in New York lawsuit

The influential British newspaper **The Guardian** published a video interview on July 22 with Steve Goldenberg, one of the plaintiffs in a New York lawsuit that aims to legalize aid-in-dying.

Mr. Goldenberg is in bad shape. He wants his physician to be able to prescribe life-ending medication that he will take if his suffering becomes unbearable to him. "If I get to see spring, I'll be lucky," Goldenberg says, adding **"I feel that we treat our animals better than we treat our people."**

Links to all of these articles can be found on our website at [www.finaloptionsillinois.org](http://www.finaloptionsillinois.org).

### About Final Options Illinois

Founded in 1984, **Final Options Illinois** is Illinois' independent voice working to establish the right to aid-in-dying for all mentally competent adults who are suffering intolerably and irremediably. Our original name was **Hemlock of Illinois**, and we changed it earlier this year to better reflect our mission.

We support all three major national groups working to advance the right to aid in dying: **Compassion & Choices**, the **Death With Dignity National Center**, and **Final Exit Network**.

If this is a right you want for yourself and your loved ones, please join us. Please mail tax-deductible contributions to the address below, or contribute securely online. Thank you !!!!!

Web: [www.finaloptionsillinois.org](http://www.finaloptionsillinois.org).  
Email: [info@finaloptionsillinois.org](mailto:info@finaloptionsillinois.org)  
Phone: 815-366-7942 or 224-565-1500.  
1055 W. Bryn Mawr #F212, Chicago IL 60660.  
We recommend our website, which has a wealth of information and links to all of the national and international groups.

Drop us an email to be added to our **free** email list. There's no charge and you can always unsubscribe. Also, we're on Twitter now at @FinalOptionsIL. Follow us to get the latest news as it happens.