

HEMLOCK OF ILLINOIS

Advancing the Right to Death With Dignity

June 2015

Canada Legalizes Aid-In-Dying !!!!

Canadian Supreme Court rules unanimously, makes aid-in-dying a fundamental human right

Quebec law will now take effect

In a groundbreaking ruling, the Supreme Court of Canada ruled unanimously on February 6 that Canadians have a fundamental human right to physician aid-in-dying at end of life.

The ruling was in response to a case brought by the Civil Liberties Association of the province of British Columbia, on behalf of Kay Carter and Gloria Taylor, both of whom have died since the legal battle began. Both women had degenerative diseases and wanted the right to have a doctor help them die.

The court wrote: **“The prohibition on physician-assisted dying infringes the right to life, liberty and security of the person in a manner that is not in accordance with the principles of fundamental justice.”** All nine justices shared the writing credit on the ruling, an unusual action meant to signal particular institutional weight behind the decision.

The court gave the federal and provincial legislatures one year to craft laws implementing its ruling. **The decision ensures that the far-reaching death with dignity law passed last June in the Canadian province of Quebec, by an overwhelming 94 to 22 majority, will now take effect.** The Quebec law establishes the right to aid-in-dying as part of a broader right to compassionate care at end of life.

Our website at www.hemlockofillinois.org has links to all of the coverage, including the full text of the Canadian law and court decision, and links to the wonderful website of **Dying With Dignity Canada**, at www.dyingwithdignity.ca. A magnificent thank you to our Canadian neighbors. You have shown us the way!

New York Times Endorses Aid-In-Dying

Major milestone shows our movement has gone mainstream

Our nation’s most prestigious newspaper has endorsed the right to aid-in-dying. In its lead editorial on Sunday, March 15, the *Times* made plain that it supports the passage of legislation legalizing aid-in-dying.

The editorial quotes prominent radio host **Diane Rehm**, describing the final suffering of her husband **John Rehm**: **“For him to go out that way, not being able to do anything for himself, was an insufferable indignity.”** The editorial noted the bills to legalize aid-in-dying now pending in many states, and urged legislators to “consider how successfully and responsibly the law has been carried out in Oregon”, recognizing the law’s “layers of protection.” It’s a true milestone.

California Here We Come

Push is on to get aid-in-dying law passed in the Golden State

Leaders with **Compassion & Choices** and the **Death With Dignity National Center** were on hand in Sacramento, California, on January 21, for the introduction of California’s **End of Life Option Act**. Sponsored by State Senators **Bill Manning** and **Lois Wolk**, the bill is closely modeled after the extremely successful aid-in-dying law in Oregon, which has been in place since the mid 1990’s.

In this year alone, 25 states and the District of Columbia will consider legislation in support of death with dignity. **“This extraordinary sweep of activity reflects our strategy to seize this moment to establish death with dignity as a core human liberty whose time has come,”** writes **Barbara Coombs Lee**, President of **Compassion & Choices**.

How to advocate for Death With Dignity

By Ed Gogol

“What can I do to help the cause of Death With Dignity?”

People often ask me this question. I tell them that every one of us needs to be an advocate for our cause. So here is a guide to what you can say to your friends, family, and acquaintances – and to opponents - that will help us move forward.

Start with this: We are part of a broad movement aimed at reduce suffering at end of life. This broader movement includes features such as advance directives, open communication, recognizing that there often comes a time when goals must shift from cure to care, and taking full advantage of palliative care.

Dying can be hell. Sometimes, even the best palliative and pain-relief care are not enough. Sometimes, the pain, suffering, and indignity are still intolerable despite all medical efforts. It can be a very rational choice to hasten your death to avoid suffering through the final, oh-so-horrific stages of your bodily disintegration.

Mentally competent adults should have the choice to control their end of life as a fundamental human right. This includes (1) the right to obtain the means to a peaceful, dignified, humane, and pain-free death, and (2) the right of your physicians and loved ones to provide assistance, without fear of prosecution.

Ours is an immense worldwide movement that has succeeded in establishing this right, fully or partially, in the following places: in **Oregon** (1994 and 1997) and **Washington** (2008) through the passage of initiatives; in **Vermont** by action of the legislature (2012); in **Montana** by ruling of the state supreme court (2012); in part of **New Mexico** by a court ruling; in the Canadian province of **Quebec** by action of the legislature (2014); in **Canada** overall by ruling of the Canadian Supreme Court (2015); and around the world in the **Netherlands, Belgium, Luxembourg** and **Switzerland**.

The Oregon law – our model

Oregon’s law, passed in 1994, was the first in the U.S. The Washington and Vermont laws, and most legislative initiatives in other states,

are patterned on the Oregon law. These laws all contain the following provisions:

Two separate doctors: Your doctor and a second consulting doctor must agree in their reasonable medical judgment that you are “terminal” and likely to die within six months.

Both doctors must agree that you are mentally competent – that you understand what you are asking for and are capable of making an informed decision. If either doctor suspects this is not the case, they must refer you to a licensed mental health professional for evaluation. The process can move forward only if that professional decides that you are capable of making an informed decision.

Multiple requests required: It can’t be an impulsive decision. You must make **three separate formal requests**, including one in writing.

Two separate waiting periods: a fourteen day one, and a second, final 48 hour one.

You can always change your mind: You do not have to take the prescribed medicine, and you can change your mind at any time.

You must take the medications yourself: The ultimate protection is that you must “self-administer” the medication. It’s something **you** do, not something that is done to you.

Almost twenty years – no abuse. In the almost twenty years of experience with the Oregon law, there’s not a single shred of evidence of any abuse. Indeed, by making aid-in-dying legal, by bringing it out into the open, we’re providing protections against abuse.

Oregon statistics show that **many people who get the prescription, never take the medicines.** Often, just knowing that you have the means to cut your intolerable suffering short gives people the courage to go on another day, and another day, until they die.

The law is a godsend for the people who need it. The people who most commonly use the law to end their lives are suffering from metastatic cancer and neurological diseases, such as ALS, Parkinson’s, and Multiple Sclerosis – diseases that typically bring a horrific end of life.

No one is ever coerced or encouraged to hasten their death. The legal change we want includes stringent protections against abuse.

We're working to establish the right to a CHOICE. I HOPE I have a long life, healthy to the end, and go to sleep one day and not wake up. But I may not be so lucky. Dying can be absolute hell, even with the best of palliative care. That's why I want to establish this **choice**.

It's NOT suicide.

We go out of our way to explain that this is NOT "suicide." Call it "aid-in-dying" or "death with dignity" or "physician-assisted dying" or "physician aid-in-dying."

We never call it "suicide" or "physician-assisted suicide," because in our society, suicide has very negative associations. People often think of the irrational act of a mentally ill person. That's the exact opposite of the act of a rational person who chooses to hasten his or her death to avoid suffering through the horrible final stages of a disease at end of life.

In fact, the Oregon, Washington, and Vermont laws all explicitly define the act as not committing suicide. The Oregon law specifically says that actions taken "... **shall not, for any purpose, constitute suicide, assisted suicide, mercy killing or homicide, under the law.**" If you take advantage of these laws, your death certificate will list your underlying illnesses as the cause of death - not suicide - and no life insurance contract will be affected.

A Gallup poll in May 2013 found that 70% of Americans favor allowing doctors to hasten a terminally ill patient's death when it is described as allowing doctors to "end the patient's life by some painless means." However only 51% support it when the process is described as doctors helping a patient "commit suicide."

Three excellent national groups work on this issue: **Compassion & Choices** is the largest and best funded, mounting major campaigns in many states. The **Death With Dignity National Center** focuses especially on legislative change. And **Final Exit Network** serves as the "underground railroad" of the movement, helping people no matter where they live. All three groups are wonderful and deserve your support.

Legal change in Illinois. We have drafted a bill for Illinois that is closely modeled after the Oregon law. We are considering when the bill should be introduced and are working closely with other organizations who share our goals.

Tell your own story. Whose bad death did you witness? Did you nurse someone through their final, heart-rending illness? What illness(es) are you suffering from that makes you want legal change for aid-in-dying? Please share your life experiences with others.

OUR OPPOSITION - OUR RESPONSE

If you encounter opposition, respond calmly. Our job is to **educate people**. Many who oppose our cause now will support it later --- as they learn more about it, if they become ill, or if their loved one becomes ill or had a bad death.

Some religious people may say "It's against God's will to commit suicide or hasten death," or "God gave you life, and only God can take it away," or "Suffering is noble and brings you closer to God."

Our response: If that's your belief, then more power to you. Certainly no one should ever be encouraged or coerced to hasten their death. But please don't take away my right to make a different choice from yours.

Some disabled people may say "This kind of legislation is aimed at us because society wants to get rid of us. It implies that our lives aren't worth living, will result in pressure on us to commit suicide, and lead to fewer resources being committed to help us."

Our response: These laws are strictly for people who are at end-of-life and are suffering greatly. And the laws all say that no one qualifies just because of their age or their disability. Your concerns are misplaced.

People who fear a "slippery slope" may say: Old and ill people will be encouraged to die because they are a burden on the living – financially, physically, and mentally.

Our response: More than fifteen years of experience with the Oregon death-with-dignity law proves that there is no slippery slope. No one is being coerced - it's not happening - it's not a real concern. People do not WANT to die.

Hemlock of Illinois
1055 W. Bryn Mawr #F212
Chicago IL 60660

ADDRESS CORRECTION REQUESTED

Let's Get Organized !!!!

Kickoff meeting to establish
The right to aid-in-dying in Illinois
Saturday June 27 -- 2:00 pm
Evanston Unitarian Church

Hemlock of Illinois – *Advancing the Right to Death With Dignity* – June 2015 – Page 4

Advocating for Death With Dignity (continued)

Invite people to join us. Say: If you want the basic human right to control the end of your life for yourself and for your loved ones, then please join us. Our movement is making great progress, but change like this is never easy. Your support will make the difference.

Practice, practice, practice. There's no one right way to advocate for death with dignity. Take your time, be calm, and don't be afraid to show your emotion. Just do it.

Take comfort that this issue is not rocket science –it's really very simple. Many people will already know about the issue and support it. They will welcome learning more about it and will be glad to learn that there are groups working to advance this right. Encourage them to join us.

Good luck, have fun, and be assured of the rightness of our cause.

About Hemlock of Illinois

Founded in 1986, **Hemlock of 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. We support all three major national groups – **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. Mail tax-deductible contributions to the address below, or contribute securely online. Thank you !!!!!

Web: www.hemlockofillinois.org
Email: info@hemlockofillinois.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.