

Wash. state woman 1st death under new suicide law

May 24 2009, By RACHEL LA CORTE , Associated Press Writer

(AP) -- Linda Fleming was diagnosed with terminal cancer and feared her last days would be filled with pain and ever-stronger doses of medication that would erode her mind.

The 66-year-old woman with late-stage pancreatic cancer wanted to be clear-headed at death, so she became the first person to kill herself under Washington state's new assisted suicide law, known as "death with dignity."

"I am a very spiritual person, and it was very important to me to be conscious, clear-minded and alert at the time of my death," Fleming said in a statement released Friday. "The powerful pain medications were making it difficult to maintain the state of mind I wanted to have at my death. And I knew I would have to increase them."

With family members, her physician and her dog at her side, Fleming took a deadly dose of prescription barbiturates and died Thursday night at her home in Sequim, Wash.

Chris Carlson, who campaigned against the new law with the Coalition Against Assisted Suicide, called the death unfortunate.

"Any [premature death](#) is a sad occasion and it diminishes us all," he said.

Compassion & Choices of Washington, an advocacy group that aids people who seek to use the law, announced her death.

Last November, Washington became the second state to have a voter-approved assisted suicide law. It is based on a law adopted by Oregon voters in 1997. Since then, about 400 people have used the Oregon law to end their lives.

In December, a district judge in Montana ruled that doctor-assisted suicides are legal in that state. That decision, based on an individual lawsuit rather than a state law or voter initiative, is before the Montana Supreme Court.

Doctors in Montana are allowed to write prescriptions for life-ending drugs pending the appeal. But it's unknown whether any actually have because there's no reporting process in place.

Under the Washington law, any patient requesting fatal medication must be at least 18, declared mentally competent and be a resident of the state.

Additionally, two doctors must certify that the patient has a terminal condition and six months or less to live, and the patient must make two oral requests 15 days apart, plus a written request that is witnessed by two people. Patients must also administer the drugs themselves.

Under the Washington measure, as in Oregon, doctors and pharmacists are not required to write or fill lethal prescriptions if they oppose the law. Some hospitals have opted out, which precludes their doctors from participating on hospital property.

On the Net:

Center for Health Statistics, Death with Dignity Act:
<http://www.doh.wa.gov/dwda/formsreceived.htm>

Compassion & Choices of Washington: <http://www.candcofwa.org>

True Compassion Advocates:

<http://www.truecompassionadvocates.org/index.html>

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