

California enacts right-to-die law

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(HealthDay)—California on Thursday becomes the fifth and largest state in the country to allow terminally ill patients to end their own lives.

With the state's right-to-die law in effect, the percentage of terminally ill U.S. adults who can ask for medical aid in dying will leap from 4 percent to 16 percent, according to advocacy group Compassion & Choices.

As many as 34,000 terminally ill Californians per year are expected to ask their doctors for information about the law, according to the group, and up to 1,500 prescriptions will be written each year. That's based on experiences in states that have already enacted similar legislation.

"We know in Oregon that for every one prescription that is written, it's noted that 25 people inquire about the process," said Sean Crowley, national spokesman for Compassion & Choices.

Stanford University family physician Dr. Catherine Sonquist Forest believes the law will comfort patients dealing with a fatal illness.

"Studies have demonstrated that simply having the option of medical aid in dying and the ability to shorten an unbearable dying process provides great peace of mind to terminally ill people and their families," said Sonquist Forest, medical director of the Stanford Health Center at Los Altos and a clinical assistant professor at Stanford Medicine.

"I'm relieved to know that starting [Thursday], mentally capable terminally ill California adults with a medical prognosis of six months or less to live will have the option to request physician-prescribed aid in dying," she added.

Three states have already passed right-to-die laws—Oregon, Washington and Vermont. A court has ruled that medical aid in dying is legal in Montana.

Elizabeth Wallner, a 52-year-old single mother from Sacramento, Calif., told reporters that she's "grateful" to have the option provided by the

new law.

Wallner has been battling advanced colon cancer since March 2011, undergoing 18 weeks of chemotherapy, six surgeries to remove parts of her liver, lung, diaphragm, gall bladder and colon, and additional radiation therapy. Her cancer has since spread to her liver and lungs.

Once the act takes effect, "I will then be able to ask my doctors for a prescription for medication that I can decide to ingest if my suffering becomes intolerable in my final days," Wallner said at Wednesday news briefing held by Compassion & Choices. "That will allow me to have a measure of control and allow me to die peacefully at home in my sleep and surrounded by my loved ones, as opposed to scared, in pain or even worse in the hospital."

The new law has met with resistance from some religious organizations, however. The California Catholic Conference issued a statement this week saying that California will cross an "unwelcomed threshold" when the law takes effect.

"By allowing doctors to prescribe a lethal dose of drugs to their patients, California is embarking on a dangerous course," the statement reads. "This new law will place the disabled, the elderly and other vulnerable people at risk for abuse and mistreatment and will undermine the healing professions' venerable commitment to 'First, do no harm.'"

But Compassion & Choices' Crowley said that, under the new law, people are not required to take their life-ending prescription within any sort of timeframe.

"Every year in Oregon, two-thirds of folks end up using the medication, and one-third do not," he said.

People with a terminal illness must also complete a series of legal hurdles before they can receive a lethal prescription to be filled and used at their own discretion, according to an analysis by the California Medical Association's legal counsel:

- The person must be able to prove they are a resident of California, and have a physician who has diagnosed them with an incurable disease that is expected to end their lives within six months.
- They must submit two oral requests to their doctor at least 15 days apart, as well as one written request. The written request must be signed and dated in the presence of two witnesses. All three requests must be received by their doctor, not a designee or surrogate.
- Both the person's doctor and a second consulting physician must agree that the patient is capable of making medical decisions for himself or herself, is not being coerced, and has made an informed decision regarding the right to die.

The patient's doctor is required to counsel him or her to have another person present when they take the fatal dose, to not take the drug in a public place, to keep the drug in a safe and secure place prior to use, and to consider participating in a hospice program.

The patient is not required to undergo a mental health assessment as part of the process, but their doctor can ask for one if the patient seems to have a mental disorder. The mental health assessment then becomes part of the supporting paperwork.

A mentally ill person can still qualify to receive an aid-in-dying drug, but a mental health specialist must determine that the person is not suffering from impaired judgment and is capable of deciding for themselves, the California Medical Association says.

The law specifically states that a terminally ill patient's use of a properly acquired aid-in-dying drug is not considered suicide.

The California Catholic Conference said it's concerned that the law does not require a psychological assessment for all people requesting assisted suicide. It also is concerned there may not be enough safeguards built into the law.

California passed the law following the widely publicized ordeal of Brittany Maynard, a 29-year-old resident of northern California who moved to Oregon in 2014 after being diagnosed with terminal brain cancer.

Maynard became a strong advocate in the right-to-die movement before ending her life on Nov. 1, 2014. Prior to her death, she recorded testimony on behalf of right-to-die legislation being considered in California.

"I am immensely proud of this conversation that my wife Brittany started, and the impact that her voice made on this basic human right," Maynard's husband, Dan Diaz, said Wednesday at the news briefing.

More information: For more on helping a loved one cope with a terminal illness, visit the [Mayo Clinic](#).

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