

# New Jersey's medically assisted suicide law put on hold

August 15 2019, by Mike Catalini

---

A New Jersey judge put a temporary hold on a new law allowing terminally ill patients to seek life-ending drugs.

The order means that New Jersey's recently enacted measure cannot be enforced by the state attorney general and comes in response to a lawsuit brought by a doctor practicing in the state.

Democratic Gov. Phil Murphy, who signed the bill in April, said Thursday that Attorney General Gurbir Grewal would release guidance for residents in light of the order and vowed to oppose the lawsuit in court.

"We're going to fight it," Murphy said.

Grewal's office declined to comment.

Judge Paul Innes of Superior Court in Mercer County signed the temporary order Wednesday blocking the law. A hearing is set for October.

Dr. Yosef Glassman's lawsuit argues "that immediate and irreparable damage will probably result in view of the fact that if its enforcement is not immediately enjoined, New Jersey citizens can actually begin dying."

Glassman, whom the suit identifies as a physician and an Orthodox Jew, argues that the law is an affront to religious doctors.

The suit argues the law violates constitutional rights as well as common law barring suicide.

He argues that being required to transfer medical records under the law is "not only a violation of the rights to practice medicine without breaching the fiduciary duties owing to those patients ... but also violations of their First Amendment rights under the United States Constitution to freely practice their religions in which human life is sacred and must not be taken."

Murphy signed the bill in April, making New Jersey the seventh state allowing the practice. Maine enacted a similar law in June, becoming the eighth.

New Jersey's law went into effect earlier this month.

The law requires two doctors to sign off on the request and for the terminally ill patient to be deemed an adult resident of New Jersey who can make such a decision and voluntarily expresses a wish to die.

It requires patients to request the medication twice and says they must be given a chance to rescind the decision. At least one of the requests must be in writing and signed by two witnesses.

At least one witness cannot be a relative, entitled to any portion of the person's estate, the owner of the health care facility where the patient is getting treatment or a worker there, or be the patient's doctor.

Under the law, patients must administer the drug to themselves, and his or her attending physician would be required to offer other treatment options, including palliative care.

Oregon in 1997 was the first state to provide an end-of-life option.

In addition to Maine and Oregon, California, Colorado, Hawaii, Vermont, Washington and the District of Columbia all have similar legislation.

In 2009 Montana's Supreme Court determined state law did not prevent a physician from prescribing such a drug to the terminally ill.

The law's opponents have included the New Jersey Catholic Conference. It worries that the law could hurt the most vulnerable people in the state.

Supporters say the new law permits terminally ill patients the chance to end their lives with dignity.

At least one other state with a similar law has seen it challenged in court.

A California appeals court in 2018 overturned a lower court ruling that found the state's assisted suicide law was unconstitutional.

© 2019 The Associated Press. All rights reserved.

Citation: New Jersey's medically assisted suicide law put on hold (2019, August 15) retrieved 6 May 2024 from <https://medicalxpress.com/news/2019-08-jersey-medically-suicide-law.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.