

# Out-of-state residents can now seek medical aid in dying in Oregon

March 29 2022

---



Oregon will no longer require terminally ill patients to be residents of the

state to use its [law](#) allowing physician aid in dying.

A lawsuit that challenged the residency requirement as unconstitutional was settled Monday, with the Oregon Health Authority and the Oregon Medical Board agreeing to stop enforcing the requirement and to ask the Legislature to remove it from the law that was first enacted in 1997, the *Associated Press* reported.

"This requirement was both discriminatory and profoundly unfair to dying patients at the most critical time of their life," Kevin Diaz, an attorney with Compassion & Choices, the national advocacy group that sued over Oregon's requirement, told the *AP*.

Compassion & Choices sued on behalf of Dr. Nicholas Gideonse, a Portland family practice physician and associate professor of family medicine at Oregon Health and Science University who couldn't write terminal prescriptions for patients who lived just across the Columbia River in Washington state.

While Washington has a similar law, it can be hard to find providers who will do it in the southwestern part of the state, where many hospital beds are in religiously affiliated health care systems that prohibit it, according to the *AP*.

"Any restriction on medical aid in dying that doesn't serve a specific medical purpose is difficult," Gideonse told the *AP*. "In no other way is my practice restricted to Oregon residents, whether that's delivering babies in the past or other care that I provide."

A group called National Right to Life opposes [physician-assisted death](#), and spokeswoman Laura Echevarria said that without a residency requirement, Oregon risked becoming the nation's "[assisted suicide](#) tourism capital," the *AP* reported.

But that's unlikely, according to Diaz.

He pointed out that Oregon's law has a number of safeguards, including a requirement that physicians determine whether patients are mentally capable, and that it's extremely difficult for [terminally ill patients](#) to make long trips to another state, and that many people want to die near home with their loved ones by their side, the *AP* reported.

"There's no tourism going on," Diaz said.

Over 2,100 people have died after ingesting terminal drugs under the law since it took effect, according to [data](#) published last month by the Oregon Health Authority.

California, Colorado, Hawaii, Maine, New Jersey, New Mexico, Vermont, Washington state and Washington, D.C., have approved similar laws, all with residency requirements. Montana's Supreme Court has ruled that state law does not prohibit medical aid in dying.

**More information:** Visit Death With Dignity for more on [medical aid in dying](#).

© 2022 HealthDay. All rights reserved.

Citation: Out-of-state residents can now seek medical aid in dying in Oregon (2022, March 29) retrieved 19 July 2024 from <https://medicalxpress.com/news/2022-03-out-of-state-residents-medical-aid-dying.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.