

Death with Dignity Act

By

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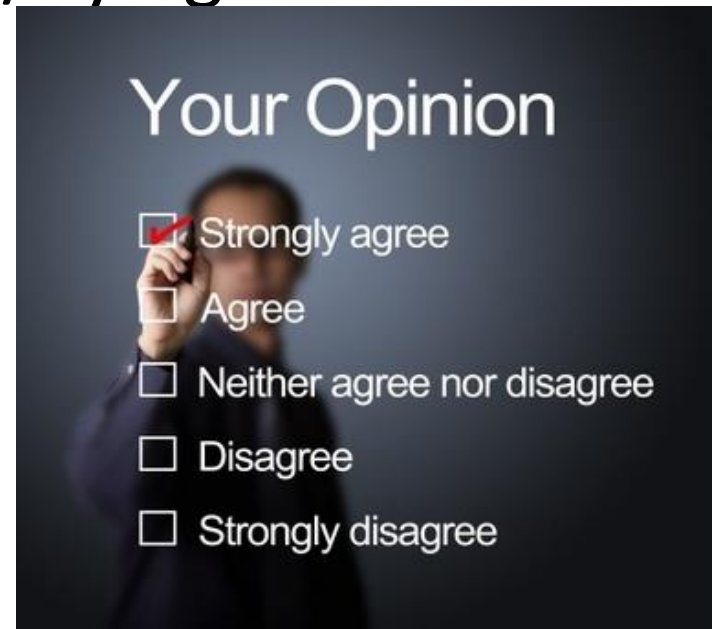
Outlines

- Dutch experience
- Oregon experience, California End of Life Options Act
- Reasons for PAS
- Reasons against PAS
- Better public policies

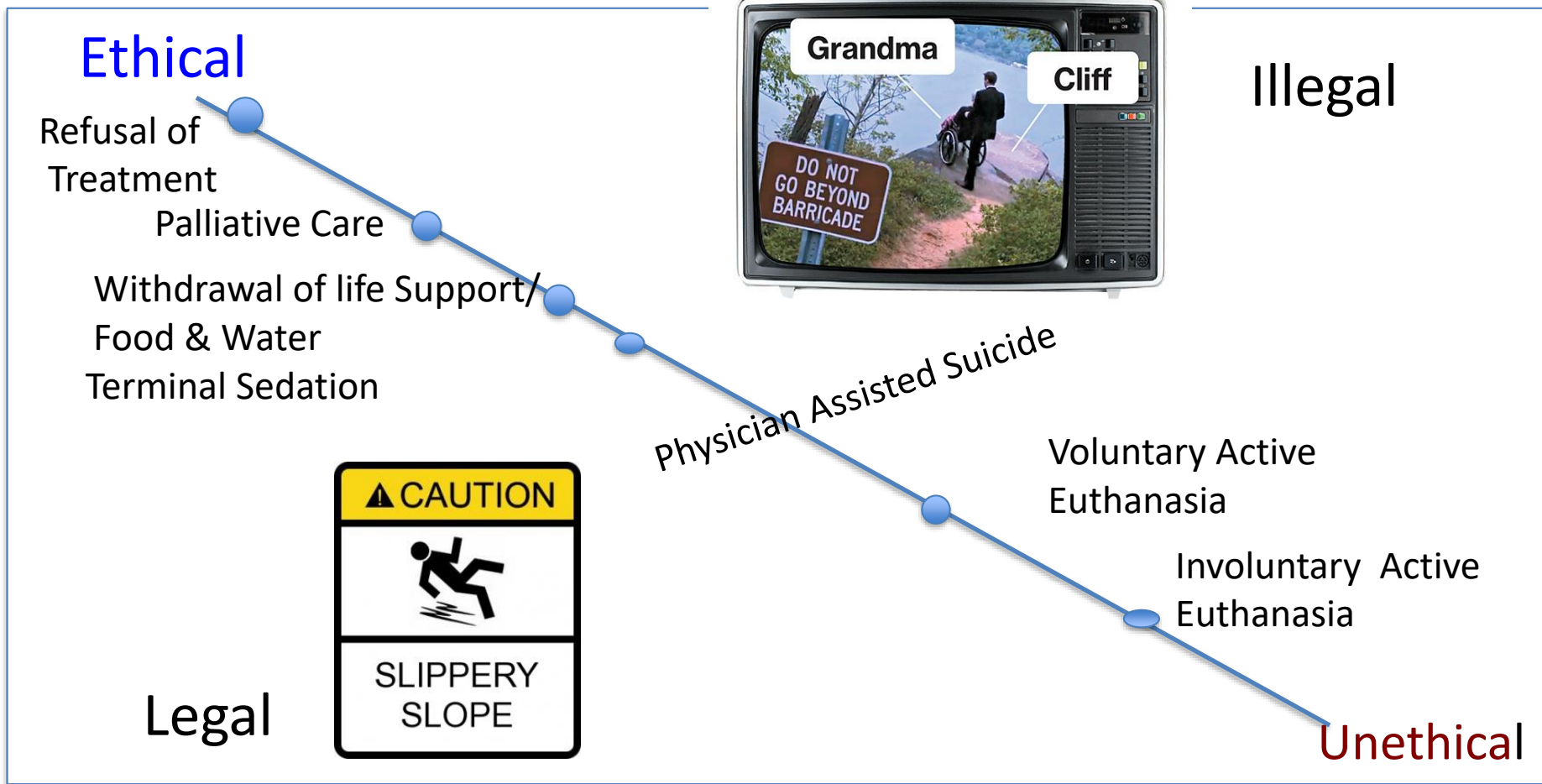


What is in a name?

- Euthanasia
 - Voluntary vs Non-Voluntary, Passive vs Active
- Physician Assisted Suicide/dying
- Death with Dignity
- End of life Options



Slippery Slope of Physician Assisted Suicide



Anatomy of PAS by Behuniak 2013 p.12



Dutch Experience in PAS

Interview with MDs

N Engl J Med 1996; 335:1699-1705

Estimated Incidence of Medical Decision on End of Life

	1995	1990
Total # of Death review	34,500	24,500
PAS #	9,700	8,900
Euthanasia	2.30%	1.90%
PAS	0.40%	0.30%
Ending Life without Consent	0.70%	No data
	241.00	7 Remmelink





Dutch Experience in PAS

Review of Death Certificates

N Engl J Med 1996; 335:1699-1705

Death Certificate Review 1995

Euthanasia without consent	284
Had previous discussion with	100
Colleagues	83
Nurses	73
Relatives	70
No One	4
No data	2
Competency	
Yes	97
No	3

History of Oregon's Death with Dignity Act (DWDA)

- 1994 Voters approved DWDA (1st Referendum)
- 1995 Federal Court invalidated DWDA
 - 14th Amendment: Equal protection, Due process of law
- 1997 Exhausted all the legal challenges (2nd Referendum)
- 1998 1st patient died of DWDA

- Anatomy of PAS by Behuniak 2013: p.83



Governor Kitzhaber & Cylvia Hays

Oregon Death with Dignity Act DWDA

<https://public.health.oregon.gov/ProviderPartnerResources/EvaluationResearch/DeathwithDignityAct/Pages/ors.aspx>

- Provisions of DWDA

- >18 y/o or competent adult
- Terminal illness with <6 mo to live
- Certified by 2 doctors, 15 days apart
- May need psychiatric consultation



Oregon 1st Five Years Experience DWDA

Hedberg K., Hopkins D., Kohn M. Five Years of Legal Physician-Assisted Suicide in Oregon. N Engl J Med, 2003; 348:961-964.

N=129

	Total	%
Male	71	55
Female	58	45
Marital status		
Married	60	47
Divorce	29	22
Widow	32	25
Level of Education		
< High School	14	11
High School graduates	43	33
Some College	23	18
College graduates & Higher	49	38
Underlying diseases		
Cancer	102	70
ALS	10	8
COPD	8	6
Others	9	7



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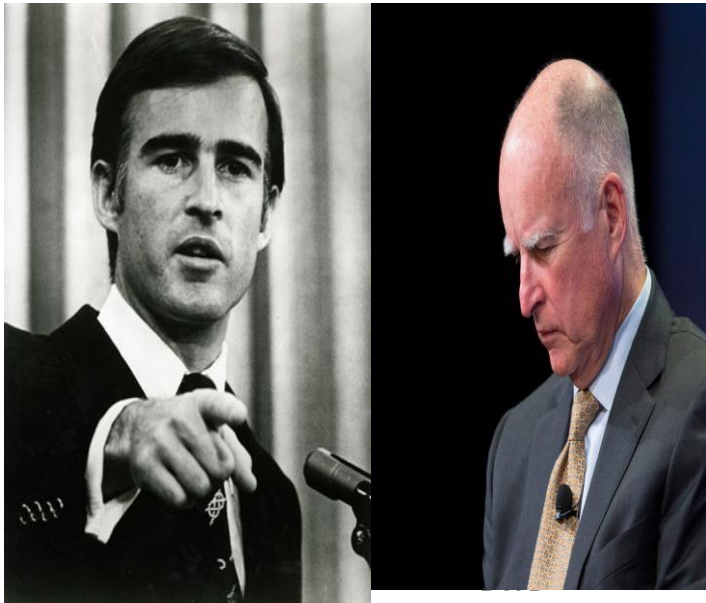
	Total	%
Psychiatric consultation	24	23
Place of Death		
Home	120	94
Long term care facility	7	5
Hospital	1	1
Prescribing MD presence during ingestion of lethal medication	60	47
# days between Rx & Ugestion		
Average	44	
Range	11-445	
PAS Death Rate		
European American	8.8/10,000	
Asian American	91.7/10,000	



California End of Life Option Act

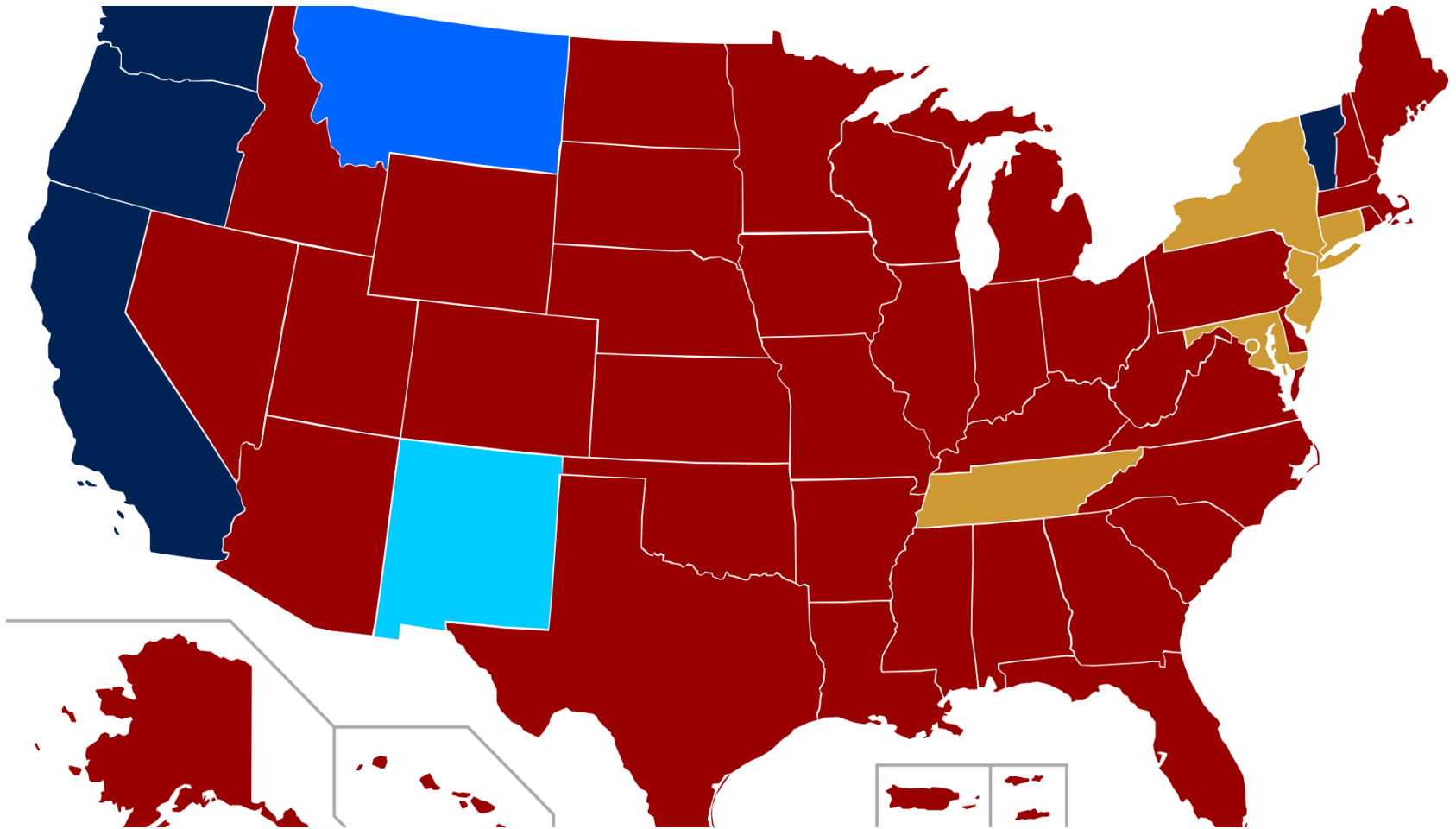
<http://theartnewspaper.com/news/artist-betsy-davis-ends-her-life-under-california-s-doctor-assisted-dying-law/>

- October 5, 2015 signed into law by Br
- June 9, 2016 Effective date
- July 24 2016 Betsy Davis, 41 y/o of Ojai,
– with ALS was the first Patient died of PAS.



States with DWDA

https://en.wikipedia.org/wiki/Assisted_suicide#Hippocratic_Oath



Oregon DWDA Reasons for PAS

N=27 0.1% of all deaths, 1st year

Hedberg K., Hopkins D., Kohn M. Five Years of Legal Physician-Assisted Suicide in Oregon. N Engl J Med, 2003; 348:961-964.

Reason for PAS

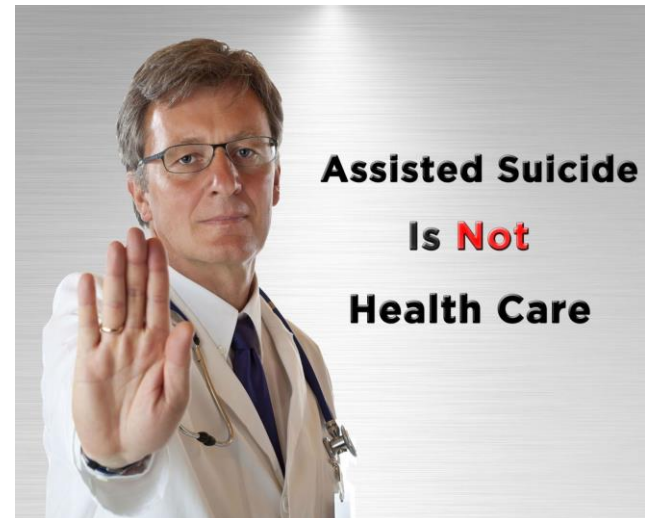


Loss of Autonomy	87%
Loss of Dignity	80%
Loss of ability to enjoy life	84%
Burden to family	36%
Fear of unbearable pain	22%
Financial concerns	3%



Reasons Against PAS

- Religion (Christianity)
- Medical Profession
- Ethics
- Laws
- Better Public Policy



Christian's Opposition to PAS

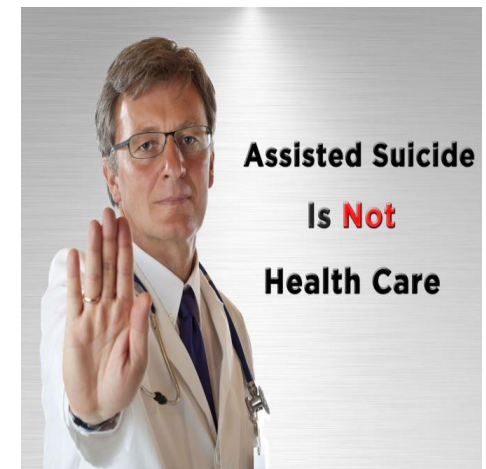
- We are made of the image of God (James 3:9)
 - Sanctity of Life. Thou shall not kill, life is precious
- Our bodies are temples of the Holy Spirit (I Corinthians 6:19)
 - Not ownership, but stewardship of our bodies
 - Life is not for us to destroy
- Pain and suffering is a part of life
 - Vicissitude
- Christianity advocates for the
 - poor, the down trodden, the disadvantage (Isaiah 61:1-3)



Medical Profession Against PAS



- Hippocratic Oath, WHO, WMA
 - “I will neither give a deadly drug to anybody who asked for it, nor will I make a suggestion to this effect.”
 - "I will maintain the utmost respect for human life.”
 - A physician shall always bear in mind the obligation to respect human life”
- Doctors are healers not killers
 - Killer destroys trust
 - Killer does not promote healing



What should physician do when a patient is facing Extreme duress?

- A. Should not abandon a patient once it is determined that cure is impossible.
- B. Must respect patient autonomy.
- C. Must provide good communication and emotional support.
- D. Must provide appropriate comfort care and adequate pain control.



Bio-Ethical Concerns on PAS

- AUTONOMY
 - Respect
- BENEFICENCE
 - To do good
 - Equality, equity
- Non-Maleficance
 - Do no Harm
- Justice
 - Is it fair?



Ten years experience in Oregon's DWDA

<http://www.patientsrightscouncil.org/site/oregon-ten-years/>

- Problems uncovered by British MP in Oregon
 - Statistics of deaths official: 341, unofficial Unknown
 - PAS on dementia patient
 - PAS on depressed patient
 - PAS on financial term
 - Insurance will Pay for PAS meds, not cancer medications
 - Barbara Wagner
(<http://abcnews.go.com/Health/story?id=5517492&page=1>)
 - Kaiser cannot find doctors to write the lethal Rx
 - Pt. received lethal Rx & lived for >6 months



11-5-16

DWD



19

Ethical Concerns on PAS

Self-extinction: the morality of the helping hand. Callahan, D. Physician assisted suicide Weir, R. editor. Indian University Press 1997

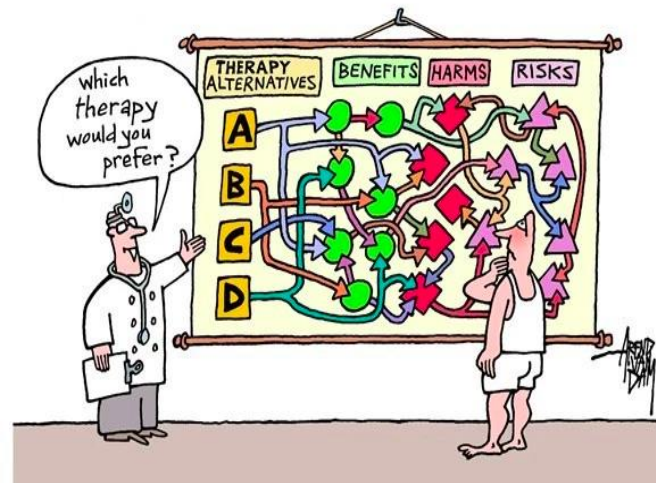
- **AUTONOMY (Respect)**

- Limit of autonomy

- No man is an island
 - Not allow to sell into slavery, even voluntary
 - Discourage people entering some occupations

- Informed consent

- Required discussion
 - Mental competency
 - Free of depression



informed consent



Aleppo Boy

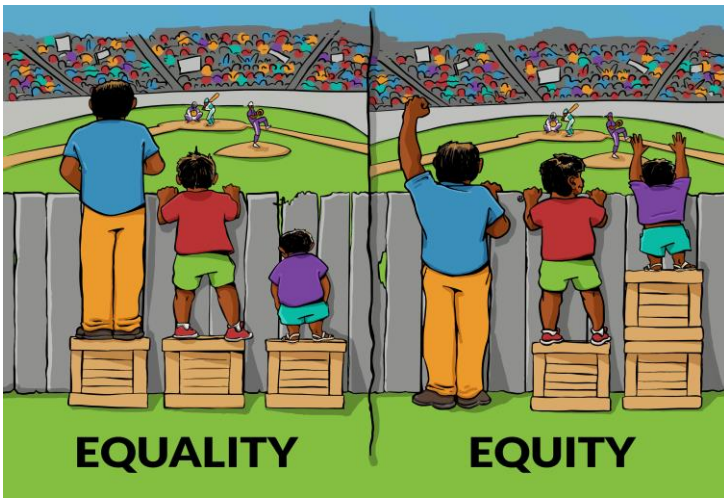
Ethical Concerns on PAS

- Beneficence
 - Individual Vs Community
 - Potential of abuse especially to the vulnerable
 - Elderly, mental & physical disables, depression
- Non-maleficence or do no harm



Ethical Concerns on PAS

- Equality & Equity of PAS
 - In favor of
 - Terminally ill, competent adults with visible disabilities
 - Discriminates against:
 - Invisible disables, Mental illness, Children
- Social Justice or fairness



DWD

Law on PAS

- Allow to kill: self defense, war, capital punishment
 - Illegal to aid and abet people to commit suicide
- Supreme Court: Right to Die is a fundamental liberty. Law must conform to 14th Amendment rights
 - Due process, equal protection



DWD



Public Policy

- Public Policy
 - Need universal Health Insurance
 - Extensive use of Hospices (30% usage)
 - Death Panel (no payment)
 - Long term care
 - Availability & high cost
 - Mental Health



hospices of hope
making every day count

