

Compassion & Choices Partners with New York Lawmakers to Introduce End-of-Life Options Act

State Senators Diane Savino and Brad Hoylman Introduce Legislation to Authorize Aid in Dying for Terminally Ill Adults in New York

(New York, NY – Feb. 16, 2015) – Just a few months after 29-year-old Californian Brittany Maynard had to utilize an Oregon law to end her suffering from terminal brain cancer, two New York State senators introduced similar legislation today, referred to as the **New York End-of-Life Options Act (S3685)**.

“The option to end one’s suffering when facing the final stages of a terminal illness should be a basic human right, and not dependent upon one’s zip code,” said Senator Diane Savino (D-23), prime co-sponsor of the New York End-of-Life Options Act. “With solid support for aid in dying across every demographic, I believe there will be strong bipartisan backing for this bill.”

“As a key member of the Independent Democratic Caucus in the New York State Senate, Senator Savino is well positioned to gain bipartisan support for New York’s aid in dying bill,” said Barbara Coombs Lee, President of Compassion & Choices, the nation’s largest organization working to expand end-of-life choices.

In advance of drafting the legislation, Senator Savino met with Dan Diaz, Brittany’s husband, to learn more about Brittany’s experience with her illness and accessing medical aid in dying. Diaz also told Savino that helping lawmakers like her pass death-with-dignity laws was how he could keep a promise to his late wife.

“Having aid in dying as an end-of-life option provided great relief to Brittany,” said Dan Diaz, Brittany’s husband. “It enabled my wife to focus on living her last days to the fullest, rather than living in fear of dying in agony from terminal brain cancer.”

Maynard — who suffered debilitating, painful seizures caused by her terminal brain cancer — had to move to Oregon so she could access its death-with-dignity law because her home state of California does not authorize this end-of-life option. The law gives terminally ill, mentally competent adults the option to request a prescription for life-ending medication that they can choose to self-administer if their suffering becomes unbearable.

“Meeting Mr. Diaz only strengthened my commitment to helping every New Yorker gain access to the option of aid in dying,” said Savino. “I was honored to meet Brittany’s family and to learn how this option improved her well-being during her illness, as well as how having to move to another state only made her final months that much harder.”

Rapid introduction of the bill mirrors the momentum behind similar legislation around the country.

“Since Brittany Maynard’s death, the American public appreciates, like never before, that the option of aid in dying provides peace of mind and comfort to those with a terminal illness,” said Coombs Lee. “We are confident the bill will receive serious consideration in New York under Senator Savino’s and Senator Hoylman’s capable leadership.”

Senator Brad Hoylman said, “We can help alleviate human suffering and provide terminally adults with a modicum of personal control by giving them more choices at the end of their lives.” Since Brittany Maynard’s story broke on Oct. 6, lawmakers have introduced similar bills, or pledged to so, in Washington, D.C. and at least 13 states, including California, Colorado, Florida, Indiana, Maryland, Minnesota, Missouri, New Hampshire, Pennsylvania, Wisconsin, and Wyoming.

Brittany’s story also is galvanizing Compassion & Choices campaigns to pass bills authorizing aid in dying in New Jersey, Connecticut, Massachusetts, Colorado and California and to defend this legally recognized option in Montana, New Mexico and Vermont.

National and state polls consistently show the vast majority of Americans across the demographic and political spectrum want to maintain their right to choose their medical treatment at the end of their life. A 2014 Harris Interactive poll puts nationwide support for aid in dying at 74 percent.

“This is a deeply personal decision, one which mentally competent, terminally ill New Yorkers should be able to make only for themselves,” said Hoylman. “I look forward to working alongside Senator Savino and my colleagues to pass New York’s version of “death-with-dignity” legislation.”

The New York End-of-Life Options Act is modeled after legislation in Oregon and other states where aid in dying has been proven to be good policy and medical practice.

- It allows only qualified, terminally ill and mentally competent adults to request and obtain a prescription from their physician for medication that the patient can self-administer to bring about a peaceful and humane death. Two physicians must confirm the prognosis is terminal.
- It requires two witnesses to attest that the request is voluntary.
- It protects physicians from civil or criminal liability, and from professional disciplinary action, if they fulfill an eligible individual’s request. Participation by doctors is fully voluntary.
- It provides safeguards against any coercion of patients: It establishes felony penalties for coercing or forging a request; and it honors a patient’s right to rescind the request.
- It states that any action taken in accordance with the bill will not constitute “suicide” or “assisted suicide.”

Besides Oregon, aid in dying is authorized in Washington, Montana, Vermont and New Mexico. Compassion & Choices, the oldest and largest national non-profit organization committed to improving care and expanding choice at the end of life, is a leading advocate of aid-in-dying legislation in New York and around the country.