TO:               To the Delaware General Assembly

FROM:        Margaret Dore, Esq., MBA, President
                      Choice is an Illusion, a nonprofit corporation

RE:                        Reject HB 160 (Assisted Suicide, Euthanasia)

                      • Prevent People With Years to Live From Throwing
                      Away Their Lives
                      • Preserve Patient Choice
                      • Stop Legal Elder Abuse
                      • Stop Legal Murder
                      • Don’t Put Older People in the Crosshairs of Their
                        Heirs and Other Predators
                      • Prevent Suicide Contagion
                      • Stop Family Trauma

DATE:        May 15, 2017

INDEX

I. INTRODUCTION ......... ................................. 1

II. DEFINITIONS. ............... ............................ 1

   A. Physician-Assisted Suicide;
      Assisted Suicide; and Euthanasia ............... 1

   B. Withholding or Withdrawing Treatment .......... 2

III. STATES PUSH BACK AGAINST ASSISTED SUICIDE. ........ 2

   A. This Year, the South Dakota Legislature
      Passed a Nearly Unanimous Resolution Opposing
      Assisted Suicide ............................ 2

   B. Last Year, the New Mexico Supreme Court
      Overturned Assisted Suicide in New Mexico .... 3

   C. Five Other States Have Strengthened Their
      Laws Against Assisted Suicide............ 3

* Margaret Dore, Law Office of Margaret K. Dore, PS, Choice is an Illusion, a
  Avenue, Suite 4400, Seattle, WA 98154, 206 697 1217;
margaretdore@margaretdore.com
IV. FEW STATES ALLOW ASSISTED SUICIDE ........................................... 3
V. ELDER ABUSE ............................................................................... 3
VI. HOW THE BILL WORKS ................................................................. 4
VII. A COMPARISON TO PROBATE LAW ........................................... 5
VIII. DECADES TO LIVE ..................................................................... 5

A. If Delaware follows Oregon, the Bill Will Apply to People With Chronic Conditions Such as Insulin Dependent Diabetes........................................... 6
B. Predictions of Life Expectancy Can Be Wrong............................... 7
C. Treatment Can Lead to Recovery..................................................... 7

IX. STACKED AGAINST THE INDIVIDUAL.......................................... 8

A. Patients Lose the Right Be Told of Alternatives for Cure.................. 8
B. Someone Else Is Allowed to Communicate on the Patient’s Behalf....................... 10
C. Even If a Patient Struggled, Who Would Know?.............................. 11
D. The Death Certificate Will List a Terminal Illness as the Cause of Death, Which Will Prevent Prosecution for Murder................................. 12
E. Someone Else Is Allowed to Administer the Lethal Dose to the Patient........ 12
   1. Generally accepted medical practice............................................ 12
   2. The act of ingesting ..................................................................... 13
F. Allowing Someone Else to Administer the Lethal Does is Euthanasia........ 14
G. Euthanasia Is Not Prohibited ............................................................. 15
H. Patient Protections Are Irrelevant .................................................... 15
X. NO TRANSPARENCY, NO ACCOUNTABILITY.. . . . . . . . . . . 16
   A. If Delaware Follows Washington State, There Will Be an Official Legal Cover Up. . . . . 16
   B. If Delaware Follows Oregon’s Interpretation of “Not a Public Record,” the Bill Will Create a Government Entity Above the Law . . . . . 18
   C. If Delaware Follows Oregon’s Data Collection Protocol, Patient Identities Will Not Be Recorded in Any Manner, Source Documentation Will Be Destroyed . . . . . . . . . . . . . . . . . 20
   D. If Delaware Follows the Oregon Experience, a Non-Governmental Entity Will Displace the State to Become the Defacto “Agency” Overseeing HB 160 . . . . . . . . . . . . . . . . . 21

XI. TRAUMA . . . . . . . . . . . . . . . . . . . . . . . . . . . 22
   A. The Swiss Study: Physician-Assisted Suicide Can Be Traumatic for Family Members. . . . . . . . . 22
   B. My Clients Suffered Trauma in Oregon and Washington State . . . . . . . . . . . . . . . . . . . . . . . 23

XII. SUICIDE CONTAGION . . . . . . . . . . . . . . . . . . . . . 23

XIII. CONCLUSION . . . . . . . . . . . . . . . . . . . . . . . . . . . 24

APPENDIX