

[Note: The act of a physician prescribing life-ending medication to a qualified individual varies in name from state-to-state (ex: assisted suicide, medical aid in dying, etc.). For purposes of this report, it shall be referred to as physician-assisted suicide (PAS).]

### History of Physician-Assisted Suicide

In 1997, residents in the state of Oregon voted to become the first jurisdiction in the United States to allow for PAS. Since that time, the states of Washington, Vermont and California have joined Oregon in permitting physicians to prescribe life-ending medication ("covered medication").<sup>1</sup> While not written into law, physicians in Montana who aid patients in dying are protected from prosecution by way of court ruling.<sup>2</sup>

In the states where it is permitted, PAS tends to have the same general characteristics: an individual who is at least 18 years of age, who has been diagnosed with a terminal illness that will likely end their life within the next six months, is permitted to make two separate requests for the covered medication, thus allowing their physician and pharmacist to prescribe and dispense of such medication, respectively.

In its annual statistical report, Oregon collects and publicly shares data regarding implementation of the state's *Death with Dignity Act*.<sup>3</sup> This report tracks trends in participation as well as patient characteristics. Since the start of data collection in 1998, 991 Oregon residents have died after ingesting the medication; 132 of those deaths occurred in 2015.<sup>4,5</sup> The underlying illnesses of 77.1% of users has been malignant neoplasms such as those that affect the lungs, breasts, or colon.<sup>6,7</sup> The top five end of life concerns were (1) being less able to engage in activities that make life enjoyable; (2) loss of autonomy; (3) loss of dignity; (4) losing control of bodily functions; and (5) being a burden on family, friends/caregivers.<sup>8</sup>

Since its introduction in Oregon, PAS legislation has been introduced, but failed to pass, in 22 other states in the U.S. including Alaska, Connecticut, Delaware, Hawaii, Iowa, Kansas, Maine, Maryland, Massachusetts, Minnesota, Missouri, Nevada, New Jersey, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Utah, Wisconsin and Wyoming.<sup>9</sup>

<sup>1</sup> <https://www.deathwithdignity.org/take-action>.

<sup>2</sup> <https://www.deathwithdignity.org/states/montana/>.

<sup>3</sup>

<https://public.health.oregon.gov/ProviderPartnerResources/EvaluationResearch/DeathwithDignityAct/Documents/year18.pdf>.

<sup>4</sup> *Id.*

<sup>5</sup> As of July 1, 2015, Oregon had a population of 4,028,977;

<http://www.census.gov/quickfacts/table/PST045215/41>.

<sup>6</sup>

<https://public.health.oregon.gov/ProviderPartnerResources/EvaluationResearch/DeathwithDignityAct/Documents/year18.pdf>

<sup>7</sup> 41% are unspecified malignant neoplasms. *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> <https://www.deathwithdignity.org/take-action>.