

# Medical Aid in Dying: Where does New York stand?

October 2021



COMPASSION & CHOICES  
**IMPROVES CARE,**  
EXPANDS OPTIONS,  
AND **EMPOWERS**  
**EVERYONE** TO  
CHART THEIR  
**END-OF-LIFE** JOURNEY.

# Authorized in 11 Jurisdictions Six in the Last Six Years

**1** in **5** adults now lives in a state where medical aid in dying is authorized.



# New York's Medical Aid in Dying Act

- First introduced in 2015
- Sponsored by Senator Diane Savino (Staten Island) & Assemblymember Amy Paulin (Westchester)
- Passed Assembly Health Committee May 2016
- Current bill numbers A4321a/S6471
- 68 bill sponsors (53 in Assembly; 15 in Senate)
- Diversity of bill sponsors is remarkable

# New York's Medical Aid in Dying Act

## Eligibility Requirements:

- An adult, 18 years or older
- Terminal illness, prognosis of 6 months or less to live
- Mentally capable of making their own healthcare decisions and acting voluntarily
- Able to self-ingest the medication

# New York's Medical Aid in Dying Act

## Safeguards

- Only those with an incurable and irreversible terminal illness and six-month prognosis
- The patient must be able to take the medication themselves.
- Both the diagnosis and the prognosis have to be confirmed by two doctors, and both doctors must be assured that the patient is making the request of their own volition before a patient can be eligible for medical aid in dying.
- Patients are not eligible simply because of age or disability.
- The attending physician must inform the requesting patient about all of their end-of-life care options, including hospice and pain and symptom management.
- If either doctor has concerns about the patient's mental capacity for such a decision, they must make a referral to a mental health professional for an assessment. Medication can't be prescribed until mental capacity is determined.
- Two separate requests for the medication must be made, one oral request and one written request. Two people must witness the written request.
- Prescribing doctors must comply with medical-record documentation requirements and make records available to the state department of health.
- Providers have civil and criminal immunity for participating in the law as long as they comply with all aspects of the law.
- Anyone attempting to coerce a patient is subject to criminal prosecution.
- A terminally ill person can withdraw their request for medication, not take the medication once they have it or otherwise change their mind at any point.
- Life insurance payments can't be denied to a family because a loved one uses the law.
- No patient, physician, health provider, or pharmacist is required to participate.

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## Marist Poll Shows Strong Support for Medical Aid in Dying in New York

Compassion & Choices says it's time for lawmakers to pass medical aid in dying act



October 12, 2021

New York

New York Medical Aid in Dying Act

polling

Compassion & Choices says a new Marist poll released today showing strong support for medical aid in dying as an option for terminally ill adults to peacefully end unbearable suffering reinforces the need for the Legislature to pass the Medical Aid in Dying Act ([A.4321a/S.6471](#)). The legislation continues to garner support among lawmakers and currently has 68 co-sponsors in the Assembly and Senate.

59% support  
vs.  
36% oppose



# The Desire for Patient Autonomy at the End of Life Is Universal



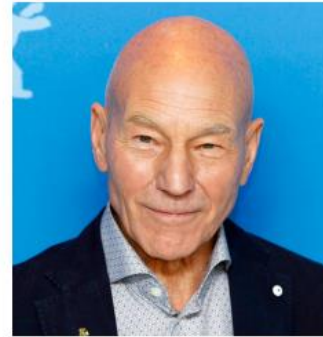
**Dolores Huerta**



**Elijah Cummings (1951-2019)**



**Janet Duprey**



**Patrick Stewart**



**Tina Turner**



**Stephen Hawking**



**Edward James  
Olmos**



**Diane Rehm**



**Archbishop  
Desmond Tutu**



**Mauricio Ochmann**

# New York Physicians

## Support for Medical Aid in Dying

**TOTAL SUPPORT: 56%**

**TOTAL OPPOSITION: 26%**

*After learning details and provisions of the proposed legislation*



**TOTAL SUPPORT: 67%**

**TOTAL OPPOSITION: 19%**

When New York physicians learned about how medical aid in dying would be implemented in the bill before the State Legislature, their level of **support jumped 18 points**, from a 30-point margin (56%–26%) in support to a 48-point margin (67%–19%) in support.

# An increasing number of national medical and health associations support giving terminally ill adults the option of medical aid in dying, or recognize that it is a private decision.

SUPPORT



ENGAGED NEUTRALITY



NEUTRAL



# People living with disabilities



**2/3 people living with  
a disability in NJ, CT, MA  
support medical aid in dying.<sup>1</sup>**

NEW JERSEY



CONNECTICUT



MASSACHUSETTS



 VOTERS WITH  
A DISABILITY

 ALL VOTERS

**Across the country, an increasing number of disability rights groups have taken a neutral or supportive position on medical aid in dying.**



**The movement to expand end-of-life care options and the disability rights movement share important core values:**

**AUTONOMY**

**INDEPENDENCE**

**SELF-DETERMINATION**



# Support vs. Opposition

## SUPPORT

1 in 9 the Long Island Breast Cancer Action Coalition  
ACT UP-NY  
The Arc New York  
Death with Dignity National Center  
Death with Dignity Albany  
End of Life Choices New York  
Gay Men's Health Crisis (GMHC)  
Harlem United  
Hispanic Health Network  
Housing Works  
Jim Owles Liberal Democratic Club  
Latino Commission on AIDS  
Latinos for Healthcare Equity  
League of Women Voters of NYS  
Mobilizing Preachers & Communities (MPAC)  
New York Civil Liberties Union (NYCLU)  
New York Society for Ethical Culture  
New York State Academy of Family Physicians  
New York State Public Health Association  
NOW-NY  
Planned Parenthood Empire State Acts (PPESA)  
Rochester Breast Cancer Coalition  
SAGE (Advocacy & Services for LGBT Elders)  
Secular Coalition of America--New York Chapter  
StateWide Senior Action Council  
United University Professors-  
Committee on Active Retiree Membership  
& New Paltz chapter  
Voters for Change-ADK  
WCLA - Choice Matters

## OPPOSITION

Agudath Israel of America, representing Orthodox Jewish concerns  
Autistic Self-Advocacy Network – New York City  
Bruderhof  
Calvary Hospital, Bronx, New York  
Center for Disability Rights  
Democrats for Life of New York  
Feminists Choosing Life of New York  
Medical Society of the State of New York  
New York Association on Independent Living  
New Yorkers for Constitutional Freedoms  
New Yorkers for Life  
NYS Catholic Conference  
NYS Right to Life Committee  
Suicide Prevention Initiatives, New York City

# Support

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New York State Academy of Family Physicians

New York State Public Health Association

NOW-NY

Planned Parenthood Empire State Acts (PPESA)

Rochester Breast Cancer Coalition

SAGE (Advocacy & Services for LGBT Elders)

Secular Coalition of America--New York Chapter

StateWide Senior Action Council

United University Professors-

Committee on Active Retiree Membership

& New Paltz chapter

Voters for Change-ADK

WCLA - Choice Matters

# Let's talk about suicide

Professional medical and health care associations, as well as groups dedicated to preventing suicide, have affirmed that medical aid in dying is not suicide. Among them:

- American Association of Suicidology
- American Psychological Association
- American Public Health Association
- American College of Legal Medicine
- American Medical Student Association

# Medical Aid in Dying is not suicide

According to the American Psychological Association, medical aid in dying is distinct from the behavior that has been traditionally and ordinarily described as suicide.

- Those who seek medical aid in dying are suffering life-ending illnesses, have six months or less to live, and understand that death is inevitable.
- Medical aid in dying is only available to terminally ill patients who are dying from a physical illness that is not curable. Their death is not preventable.

# Medical Aid in Dying is not Suicide

- Terminally ill people ask for medical aid in dying for a variety of reasons and often for more than one reason, including loss of autonomy, impaired quality of life, loss of perceived dignity and inadequate pain control.
- These patients are acutely aware that they are facing a terminal illness that will inevitably end their life.
- Dying patients who ask for medical aid in dying want a peaceful transition in the comfort of their home surrounded by loved ones.

**Medical aid in dying honors patients' autonomy, and protects the doctors who serve them.**

**There has not been a single substantiated incidence of abuse or coercion in nearly 50 years of combined data.**

**Very few people will choose to use the option,  
but large numbers will derive peace of mind  
from simply knowing it is available.**

**Adopting New York's Medical Aid in Dying Act  
will cost the state nothing.**



**The cost of inaction  
is high.**

# We've Already Lost Too Many



# Terminally ill people

- May not try that one last treatment out of fear the treatment will be too painful
- May choose violent means to end their suffering, rather than this compassionate option
- Are being deprived of the peace of mind that comes with knowing they can end their suffering if it becomes too great
- Will die suffering

**... while families and doctors remain  
powerless with no legal way to respond to  
their pleas for help.**

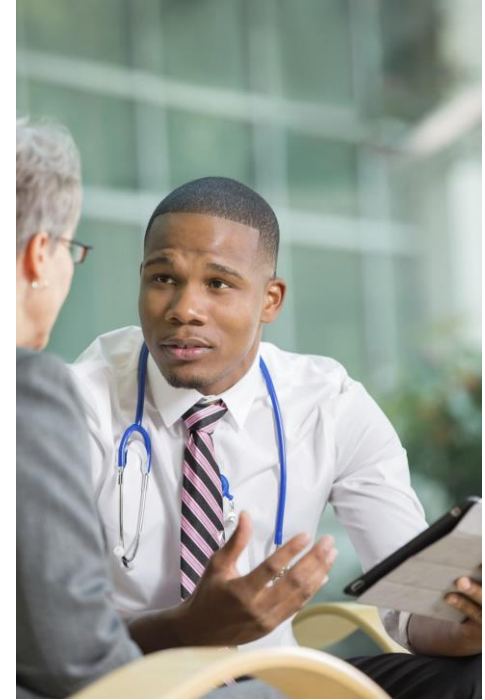
# Society Also Fails to Gain the Other Benefits of Medical Aid-in-Dying Implementation



**Better use of hospice care**



**Better physician training**



**Improved conversations**

# What can you do?

# Sign our Petition: Tell New York Governor Kathy Hochul to Support Medical Aid in Dying

I believe that New Yorkers should have the same comprehensive end-of-life care options that 1 in 5 people living in the United States now have, including our neighbors in New Jersey and Vermont.

I support giving dying New Yorkers the option of medical aid in dying.

This compassionate legislation would allow a terminally ill, mentally capable adult to request and receive a prescription medication they can take at a time they choose to avoid needless suffering and die peacefully in their sleep.

Add your name to demand that medical aid in dying be authorized in New York!

## Sign our petition in New York!

[Forget this device.](#)

 fastaction 

### Contact Information

First Name

Amanda

Last Name

Cavanaugh

Street Address (Optional)

<https://compassionandchoices.org/survey/sign-our-petition-to-support-medical-aid-in-dying-in-new-york/>

# Your Voice Is Powerful

Elected officials and those seeking to represent you listen to prospective constituents.





# What you can do

- Phone (or email) a friend
- Send a note to your lawmaker
- Call your lawmaker
- Phonebank
- Help arrange a presentation like this one
- Talk to your doctor
- Circulate our petition
- Reach out to another organization you belong to

# What an allied organization can do

- Endorse NY's Medical Aid in Dying Act
- Sign the Sign-On Letter
- Submit a memorandum of support
- Join our events




# What an allied organization can do

**Compassion & Choices New York**  
Published by Kivvit · January 29 at 10:00 AM ·

Assemblywoman & nurse [Phara for Assembly](#) spoke about her support for medical [#aidindying](#) to [#StoptheSuffering](#) at our Virtual Rally on Jan 25 and shared her story of once hearing the sounds of a woman with bone cancer who was in unrelenting pain:

"It wasn't a scream.  
It wasn't a cry.  
It was this penetrating moan.  
It was a moan that never stopped.  
That had no end.  
And you could tell that this was her refrain.  
This was her chorus all day."  
- Assemblywoman Phara Souffrant Ferrest



1,023 People Reached 74 Engagements [Boost Post](#)

18 Reactions 1 Comment 7 Shares

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**Compassion & Choices** @CompAndChoices · Feb 10

Need another reason to [#StoptheSuffering](#) and support the Medical [#AidinDying](#) Act? Fr. Luis Barrios shares reason 13: So that everyone can die in a way that's consistent with their own faith, values, and beliefs. [compassionandchoices.org/60reasonsny202...](#)



**Father Luis Barrios**

**Reason #13**  
"So that everyone can die in a way that's consistent with their own faith, values, and beliefs."

1 Reply 2 Retweets 6 Likes





THE BUFFALO NEWS

# Another Voice: Terminally ill New Yorkers need a peaceful dying option



**B**y Jennifer Milich and Deborah Stern

We are two women with incurable, terminal forms of cancer who simply want the option to die peacefully when the inevitable end of our lives arrives. That's why we urge New York lawmakers to prevent needless suffering among terminally ill state residents by passing the Medical Aid in Dying Act.



# Follow Us On Social



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# For more information

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