Physician-Assisted Death: Scanning the Landscape and Potential Approaches: A National Academies of Sciences, Engineering, and Medicine Workshop

Current Landscape
Implementation & Practice

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6 MAID statutes

Nearly identical

Eligibility & safeguards
Bills >25 states (2017-2018)

Next 12 minutes

Too weak?

Too strong?

Not my arguments

Nearly identical
Data: What institutions & legislatures are doing

Too weak

Only 1 example

Ineligible for MAID

6 MAID statutes

“impaired judgment . . . mental disorder”
Voluntary

BUT

How do we screen

Mental health specialist only if attending or consulting physician refers

Rare

» Oregon Death with Dignity Act
2017 Data Summary
Many think that rate is too low.

Some institutions: MHS for all.

Not terminal or mature minor.
Are we failing to screen out impaired judgment?

No proof but needs study

No good evidence safeguards too weak

Too strong

6 examples

1
Terminal illness

“incurable and irreversible . . . condition . . . death within six months.”

Temporally strict

BUT

unbearable suffering

but not “terminal”
Opposed to MAID

 Arbitrary discrimination

Position Paper
Annals of Internal Medicine
Ethics and the Legalization of Physician-Assisted Suicide: An American College of Physicians Position Paper

12 months
neurodegenerative illness (ALS)

Let's remember what we are debating here, the most conservative voluntary assisted dying model that has ever been proposed – let alone implemented – anywhere in the world.
“reasonably predictable”

Drop time altogether

Self ingest

2
6 MAID statutes

Physician only prescribes
Patient administers

Helps assure voluntary

BUT

Some lose ability

Some have complications
Complications may rise

Avoid with clinician administration

3-6%
Normally, self-administered (like USA)

Physician administration allowed

“physically incapable of the self-administration or digestion”
6 MAID statutes

Assure voluntary & informed

BUT

Adult

18+
Allow minors to make other healthcare decisions

Arbitrary discrimination

Stage 1
June 2016
Adults only

Stage 2
Dec. 2018
Mature minors
4 Capacity

6 MAID statutes

“solely and directly by the individual . . . not . . . advance directive”

BUT
Terminal → no capacity

Arbitrary discrimination

Stage 2
Dec. 2018
Advance directives
Waiting period

6 MAID statutes

“two oral requests . . . 15 days apart”

Assure request enduring

BUT
Undue burden

Waive wait period

“death is likely to occur before the expiry of the time period”

6 Physician
6 MAID statutes

Attending + consulting physician
MD or DO

BUT

Access problems

Extend to

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