

U.S. BILLS REGARDING MEDICAL AID IN DYING

Thaddeus Mason Pope, JD, PhD

www.thaddeuspope.com

February 17, 2024

This chart summarizes bills before U.S. state legislatures in 2024 regarding medical aid in dying. All these bills are closely modeled on the Oregon model. But some vary especially along four dimensions:

- (1) Do they allow only physicians to provide MAID? Or do they also permit other types of clinicians (especially APRN/NP) to provide MAID?
- (2) Do they require a traditional 15-day waiting period? Or do they permit a shorter waiting period? Or do they permit waiver/exemption from the waiting period?
- (3) Do they limit MAID to only state residents?
- (4) Do they require facilities to be open and transparent about whether they participate in MAID – whether by posting policies on their website or by filing standardized forms with the state DOH?

Note that Colorado and New Jersey are amending existing MAID statutes. The remaining states seek to authorize MAID for the first time.

This chart expands and updates Pope, *Medical Aid in Dying: Key Variations among U.S. State Laws*, 14(1) JOURNAL OF HEALTH & LIFE SCIENCES LAW 25-59 (2020).

State	2024 Bills	Provider Types	Waiting Period	Residency	Transparency	Access Score
Arizona	S.B. 1530 H.B. 2878	MD/DO	15 days waivable	Yes	No	1
California	S.B. 1196	<i>California already has a short waiting period and requires transparency. But CA may further expand access.</i>				
Colorado	S.B. 68	expand MD/DO to APRN	reduce 15-days to 48-hours	change to No	Yes	4
Delaware	H.B. 140	MD/DO/APRN	15 days	Yes	No	1
Florida	S.B. 1642 H.B. 561	MD/DO	15 days waivable	Yes	No	1
Illinois	S.B. 3499	MD/DO	5 days waivable	Yes	No	1
Indiana	H.B. 1011	MD/DO/APRN/PA	15 days waivable	Yes	No	2
	S.C.R. 17 H.C.R. 19	<i>Opposition and condemnation of MAID.</i>				
Iowa	H.F. 533 H.F. 612 H.F. 2288 S.F. 2101	MD/DO/APRN/PA	48 hours waivable	No	No	3
Kansas	H.B. 2076	<i>Expands criminal assisted suicide.</i>				
Kentucky	H.B. 285	MD/DO/APRN/PA	15 days waivable	Yes	No	2
Maryland	H.B. 403 S.B. 443	MD/DO	15 days	Yes	No	0
Massachusetts	S.B. 1331 H.B. 2246	MD/DO	15 days	Yes	No	0
Michigan	S.B. 681	MD/DO	15 days	No	No	1

Minnesota	S.F. 1813 H.F. 1930	MD/DO/ APRN/PA	No	No	No	3
Missouri	H.B. 1903	MD/DO	15 days	Yes	No	0
New Hampshire	H.B. 1283 S.B. 558	MD/DO/ APRN/PA	48 hours waivable	No	No	3
New Jersey	A.B. 1880	MD/DO (in existing statute)	make 15 days waivable	Yes, but being litigated	No	1
New Jersey	A.B. 406	<i>Enhances penalties for violations of MAID statute.</i>				
	A.B. 407	<i>Repeals MAID statute.</i>				
New York	A.B. 995 S.B. 2445	MD/DO	No	No	No	2
North Carolina	H.B. 877	<i>Calls for a report by the state Institute of Medicine</i>				
Pennsylvania	H.B. 543 S.B. 816	MD/DO/ APRN/PA	15 days	Yes	No	1
Rhode Island	H.B. 7100 S.B. 2093	MD/DO	15 days	Yes	No	0
Tennessee	H.B. 1710 S.B. 2258	MD/DO	15 days	Yes	No	0
Virginia	S.B. 280 H.B. 858	MD/DO/ APRN/PA	15 days waivable	Yes	No	2
West Virginia	H.J.R. 68	<i>Calls for constitutional amendment to prohibit MAID.</i>				
	H.R. 8	<i>Rejecting MAID.</i>				
Wisconsin	A.B. 781 S.B. 739	MD/DO/ APRN/PA	15 days	No	No	2