June 2, 2014

TO: Chairman Conaway and the members of the Assembly Health Committee

Dear Chairman Conaway and the members of the Assembly Health Committee:

The Disability Rights Education and Defense Fund, a foremost national law and policy center on the civil rights of people with disabilities, urges your strong opposition to A2270, the bill that would legalize assisted suicide in New Jersey. Many disability rights organizations as well as the Medical Society of New Jersey and the American Medical Association believe that there are deep systemic problems that make the legalization of assisted suicide bad public policy.

This bill is too dangerous. For example, it is a prescription for elder abuse. An heir or abusive caregiver can steer someone towards assisted suicide, witness the request, pick up the lethal dose, and even give the drug—no witnesses are required at the death, so who would know?

Legalized assisted suicide would be a deadly mix with our broken, profit-driven health care system, in which financial pressures already play far too great a role. Direct coercion is not even necessary. If insurers deny, or even merely delay, approval of expensive, life-giving treatments that patients need, patients will, in effect, be steered toward doctor-prescribed suicide, if it is legal.

For example, in 2008, patients Barbara Wagner and Randy Stroup, Oregonians with cancer, were both informed by the Oregon Health Plan that the Plan would not pay for their chemotherapy, but would pay for their assisted suicide. Though called a free choice, for these patients, assisted suicide was a phony form of freedom.

The purported safeguards are very weak, and there are many ways to get around them. Diagnoses are too often wrong, leading people to give up on treatment and lose good years of their lives. If one doctor says “no,” people can, and do, "doctor shop" multiple times until they find a "yes." Nothing in the bill will protect patients when there are family pressures, whether financial or emotional, which distort patient choice. And no psychological counseling is required, putting depressed people in danger.

The bill’s proposed scheme includes no real enforcement, investigation authority, or oversight.

The movement for legalization of assisted suicide is driven by anecdotes of people who suffer in the period before death. However, for anyone who is dying in significant discomfort, it is currently legal in New Jersey and every other U.S. state to receive palliative sedation, wherein the dying person is sedated so their discomfort is relieved. Thus, there is already a legal recourse to avoid a painful death that does not raise the serious dangers of legalizing assisted suicide.

Because the dangers so outweigh any benefit, this bill is bad medicine for New Jersey. Your opposition is essential.

Respectfully yours,

Signature - MG

Marilyn Golden

Senior Policy Analyst