

THE



# Dignity Report

*A publication of the Death with Dignity National Center*

**SUMMER 2016**



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California Comes on Board  
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Implementation  
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You can support our work in many ways: an outright gift, a gift honoring a loved one, becoming a Sustaining Partner, or including us in your estate planning. Please check the enclosed envelope for these options. You can also help spread the word about our advocacy and this important issue by liking us on Facebook and following us on Twitter. *Thank you!*

## DEATH WITH DIGNITY NATIONAL CENTER

*Respect the will of the people.*

520 SW 6th Avenue #1220  
Portland, OR 97204-1510

P: 503.228.4415

F: 503.967.7064

E: [info@DeathwithDignity.org](mailto:info@DeathwithDignity.org)  
[www.DeathwithDignity.org](http://www.DeathwithDignity.org)

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*From the Desk of  
Dr. Peg Sandeen,  
Executive Director*

Can you believe the audacity of five anti-choice physicians who filed a challenge in a California court claiming, among other things, that the End of Life Option Act is personally harmful to them and must be stopped immediately? It is a bogus argument, designed to stop terminally ill individuals from accessing their right to a dignified death. Fortunately, their frantic efforts to stop California's law have been in vain.

A similar group of physicians, backed by the same, Tennessee-based Christian Medical & Dental Associations, is now challenging the law in Vermont.

It's a new front on an old legal strategy by our opponents. Following passage of Oregon's law, opponents went to federal court to stop implementation. We won those challenges. Opponents in California and in Vermont are using the failed federal strategy in state courts.

Having fought these church-affiliated opponents, we know they will never stop. We must battle with them every step of the way to ensure all Americans have the right to Death with Dignity. We are

weary of these frivolous attempts at overturning this critical end-of-life policy. You must be, too. However, we remain the ever-vigilant defenders of all Death with Dignity laws, and we stand stalwart against these attempts.

## **We'll Miss Steve Telfer**

Over the past 15 years, as President of our Board of Directors, Steve Telfer was one of the stalwarts of the Death with Dignity movement. We are sad to report that Steve has passed away. We'll miss him terribly. We'll miss his unwavering support, his cool head when crises erupted, and his deep understanding of the political process; we'll also miss Steve for his fishing stories, his infectious laugh, his calm demeanor, and the steady hand he used to guide our Board.

For me personally, Steve was a great mentor, someone I could always turn to in a pinch to get solid advice he would deliver in a way that made sense. His keen business mind, along with his understanding of nonprofit organizations, contributed to my development as a leader.

To Steve's family and friends, we send our most sincere condolences. Let us honor this brave, compassionate man who dedicated a good part of his professional career to helping those who need it most.



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# California Comes on Board

If you blinked, you may have missed it. Nearly lost amid the furor of the presidential campaign, coverage of mass shootings, and a news cycle focused on sensationalism rather than compassion, California became the fourth and the largest state in the nation to implement an Oregon-inspired Death with Dignity law in early June. All along the West Coast, people now have the full range of end-of-life options, providing them with autonomy, freedom, and peace of mind at the end of their lives.

## Legal Challenge

Once again we begin the long and careful process to ensure the End of Life Option Act works as intended; to provide terminally ill patients a choice in how to live their final days; and to ensure the hard political victory we helped achieve is not swept aside by legal indifference.

As in every other state that has approved the law, our opponents filed a lawsuit to halt implementation. The plaintiffs, doctors opposed to Death with Dignity, are red-meat political operatives with a religious, radical-right agenda backed by anti-choice groups. Their first move was to request a temporary restraining order (TRO) to stop the law from

going into effect. That effort was denied, which means that implementation of the End of Life Option Act has begun and first patients have been going through the qualification process to pursue a dignified death.

While an important victory for Death with Dignity, denial of the TRO is just the first step in a long and arduous legal challenge. A hearing on the merits of the lawsuit was rescheduled for late July, when the judge continued it until late August, when the judge will be deciding on the opponents' request for an injunction.\*

The good news is that the California Attorney General's office will defend the law, and they are taking this task seriously. As the defenders of Oregon's Death with Dignity law in both state and federal courts, we have offered our full legal support and resources to the Attorney General's office, as well as the California Governor's office and Senator Bill Monning, one of the Act's sponsors.

The even better news: We have beaten back similar challenges in both state and federal courts.

When Oregon approved the nation's first Death with Dignity law

in 1994, opponents bottled the bill up in courts for three years. Only after a loss by opponents in federal appellate court was the law allowed to go into effect.

Each time our law is challenged and upheld, we have succeeded in the courts, moving ever closer to solidifying our standing among legal experts around the country.

We are optimistic the End of Life Option Act will stand through this frivolous lawsuit.

## How Did We Get Here?

Even as we work to protect the new law, it's worth remembering how California came to take up this issue.

When Brittany Maynard moved to Oregon to access the law, right-to-die supporters in California became incensed she had to leave her home in her final months or face an agonizing death. With her family and friends surrounding her, Brittany's decision sparked a resurgence of the debate in California (and elsewhere).

As that conversation ensued, the Death with Dignity National Center worked with Senator Bill Monning and other California lawmakers.

Our President George Eighmey consulted with the legislators and traveled to the Golden State to help craft and shepherd the bill through the legislative process.

From testimony at legislative hearings to op-eds in newspapers to tireless behind-the-scenes efforts to convince legislators to come on board, George tirelessly worked on the bill as hard and as effectively as he had when championing similar causes as a member of Oregon House of Representatives.

George was one of many local and national voices who joined together to spur the bill to passage. From Brittany's mother, Debbie Ziegler, to allied groups of concerned citizens and healthcare professionals across the nation, we are so proud to have helped lead California to this place.

We are also grateful to you and all those who brought us there. We are grateful for your courage and the courage of all those who stood up for this law. We are grateful to have had you by our side as we have traveled this legislative journey.

And we are committed to making sure the law works as flawlessly

*(continued on next page)*

\* Visit [www.DeathwithDignity.org/News](http://www.DeathwithDignity.org/News) for the latest news on the lawsuit and to support the defense of the End of Life Option Act.

in California as it has in Oregon, Washington, and Vermont.

## Next Steps in California

Along with our efforts to protect the law in court, our [CaliforniaDeathwithDignity.org](http://CaliforniaDeathwithDignity.org) website helps patients navigate the End of Life Option Act. We educate doctors about how to safely and legally implement the law. We provide information to patients and their loved ones about how to navigate the new law. We work with lawmakers to discourage legislative efforts to turn back the law.

We know passing this law was but the first step for California. And

as we work with other states to help them pass Death with Dignity laws of their own, we ask you to pause for just one second—one deep breath—to recognize and honor those who led this effort to pass this law in our nation’s most populous state. It really is a remarkable achievement and one that is already reverberating across the country.

We’ve already won the battle for the hearts and minds of the American people; now we continue to convince lawmakers to allow people this right.

**Now, let’s get back to work. ■**



# How We Implement the End of Life Option Act

Our involvement in California goes beyond helping to pass the End of Life Option Act. We are making a commitment to aid in implementing the law as well.

Following the launch of the website [CaliforniaDeathwithDignity.org](http://CaliforniaDeathwithDignity.org), we are developing a volunteer-based direct service program. Program services will offer qualified individuals facing the end of life a place to turn to for information, resources, and advocacy as they seek to use the California End of Life Option Act.

## Introducing Sarah Blanchette

Developing the program is the Mendocino County native Sarah Blanchette, who joined our team in June 2016.

Sarah is a graduate student of social work at Eastern Washington University—Vancouver with over 15 years of experience in human services. She currently supervises a team of social service workers at Aging and Disability Services. Her team work to assist low-income elderly and disabled Washington state residents discharge from nursing homes back into their own

homes. Sarah also brings years of nonprofit volunteer coordination experience.



*Sarah Blanchette with her son*

"I witnessed death and dying first-hand in hospitals, nursing homes, and in-home settings," Sarah said. "The frustration and helplessness people feel when not having autonomy and choices at the end of their lives is devastating."

Sarah came to the Death with Dignity movement after hearing stories from a hospice nurse friend about patients using the law in Oregon and witnessing a friend utilize the Death with Dignity Law in Washington.

As a result, Sarah believes that "empowering people to make choices around their own end of life care is a human right." ■



*From right: Betts Cruz with her sisters Nancy, Marnie, and Deb*

## Dancing in Heaven

by Betts Cruz

In 2009, while living in Santa Barbara, California, my sister Nancy found herself facing death when her ALS sent her into rapid decline. By then she'd lived with the illness for years but did not know it was ALS the entire time.

She had lived and raised her family in Vermont, so it made sense to return there to live with our sister Marnie who would be her primary caregiver.

The cold weather was too hard on her, so she spent time in Brazil, then Colorado and finally Oregon to take advantage of the Death with Dignity Act.

### A Peaceful Death

I, along with two other sisters, our brother, our 90-year old mother and Nancy's two children, supported Nancy's decision and her right to die a peaceful death.

We as a family banded together for her. We took turns caring for her and a few other relatives and friends pitched in as well. We talked, cried and laughed—it ended up being a hard but wonderful experience for all of us.

Together we were able to make Nancy's last four months on this earth as happy as possible. We were



lucky in being able to make end of life comfortable for her. Most people don't have that. We are so grateful for all the agencies that helped us through the process.

The day Nancy chose was a beautiful spring day in Oregon.

## Death as Part of Life

She told me she'd come to me as a dragonfly—and she does.

I think about her every day, and I miss her all the time. And I know that death is not a horrible thing to be afraid of but a part of life that we ought to embrace and cherish. Nancy's story helped pass the law

in Vermont with a lot of hard work from my sister Marnie.

"It's about time," we all thought when the law went into effect.

Her life and her death made a difference. A similar law just went into effect in our home state of California (we are from San Diego), and I volunteer for Death with Dignity in Hawai'i, where I live.

We know Nan is dancing in heaven, happy we are trying to get similar laws passed in every state, for her sake and future generations' sakes.

We are determined to make her story our story, a part of history. ■



*Betts Cruz with Nancy in Kona, Hawai'i*

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# End of Life Option Act in the Media

As it wended its way through the California legislature, the End of Life Option Act received tremendous media coverage in the state (and beyond). The editorial boards of all the major newspapers endorsed the proposed legislation, often in multiple editorials and in emphatic terms.

## *Los Angeles Times*

The state's largest newspaper devoted a considerable amount of ink advocating for the law.

"Californians should have the ability to determine their personal medical destinies." "[The bill] would give dying patients the rights that 70% of Californians believe they should have."

"The right to make one's own, final medical decisions should be obvious by now. Religious doctrine should not be allowed to limit the rights of those who believe differently. This is a private medical decision between patient and doctor."

"It is simply wrong to deny terminally ill Californians the ability to choose the course of their final days."

"What should weigh on the governor's conscience is the harm a veto might do to those who may find comfort and compassion in this historic legislation. [Governor Brown] should sign it."

## *San Francisco Chronicle*

"It should be an individual choice, not one for others to judge, and certainly not for the government to make."

"[The bill] affords patients an option of controlling their future on their own terms instead of putting themselves and their families through a torturous final path."

## *Sacramento Bee*

"Dying people deserve the right to control the manner of their departure from this world."

"The law belongs to us all; it cannot be based on morality that isn't shared by the bulk of the population."

## *San Jose Mercury News*

"When pain killers no longer help, dying individuals who are of sound mind should be able to choose to

take a prescription drug and die peacefully.”

“The law brings comfort even to people who don’t take advantage of it.”

“It’s immoral to impose religious beliefs on others.”

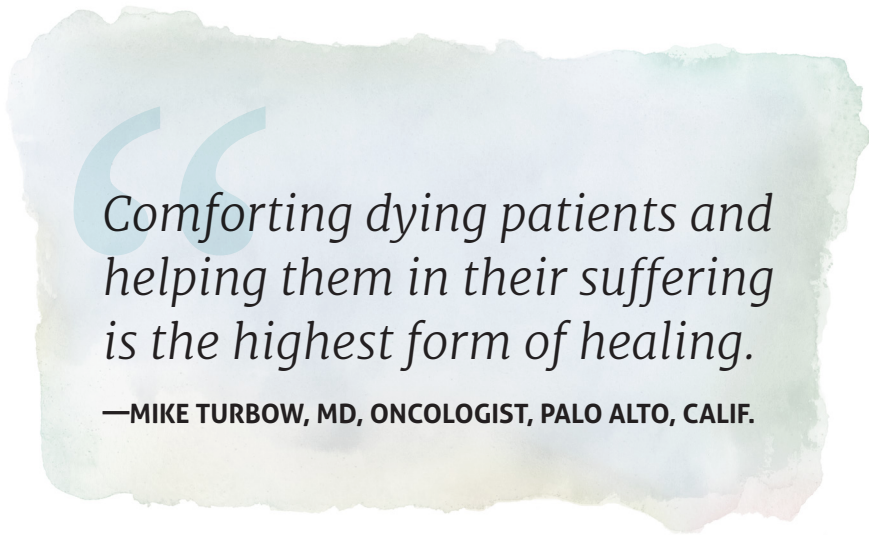
### ***San Diego Union Tribune***

“The decision of a terminally ill person to hasten his or her death

with dignity and without pain is his or hers to make.”

The *San Diego City Beat* and other smaller publications around the state also endorsed the End of Life Option Act. The impact of all these endorsements on the law’s passage cannot be understated.

You can find all the media coverage from California at this page on our website: <http://bit.ly/CACoverage>. ■



“*Comforting dying patients and helping them in their suffering is the highest form of healing.*”

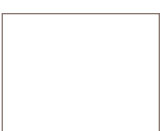
—MIKE TURBOW, MD, ONCOLOGIST, PALO ALTO, CALIF.

### **VISIT US ONLINE AT [WWW.DEATHWITHDIGNITY.ORG](http://WWW.DEATHWITHDIGNITY.ORG)!**

*The Dignity Report* is a quarterly compendium of news from our organization and the Death with Dignity movement. Our website, [www.DeathwithDignity.org](http://www.DeathwithDignity.org), offers the latest news, personal stories, resources, and more. Visit us, sign up for our email updates, comment on news articles, take action in your state—get involved, we cannot win without you. ■



520 SW 6th Ave. #1220  
Portland, OR 97204



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