

To: Wisconsin Medical Society Board of Delegates

From: Disability Rights Wisconsin (DRW)

Contact: Jodi Hanna, Supervising Attorney

Date: April 13, 2012

Re: **DRW Opposes WMS Resolution 101-2012 Physician Assisted Suicide**

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Disability Rights Wisconsin (DRW) urges the Wisconsin Medical Society's Board of Delegates to oppose Resolution 101-2012 (which supports legalization of physician assisted suicide modeled after Oregon law). Physician assisted suicide laws are dangerous to people with disabilities and other vulnerable populations, particularly given our under-funded health care system, and alleged safeguards in such laws don't adequately protect people with disabilities.

Disability Rights Wisconsin is Wisconsin's protection and advocacy agency designated under state and federal law to provide advocacy for people with disabilities (see 42 U.S.C. §15041, *et. Seq.*: Wis. Stat. §51.62; Governor Earl Executive Order #19 of 1983). It is our mission to protect the rights of people in Wisconsin living with disabilities.

Most often suicide requests from people with terminal illness are based on fear and depression, including a fear of burdening their families. Many patients and their families have no idea of the array of assistive technology available to people with disabilities, nor are they aware of services and supports that allow people with significant disabilities to live in the community with independence and dignity, even at the end of life. Access to affordable health care and community-based supports, such as respite care and home health care are the solution, not creation of a system in which financial and other pressures may steer patients with disabilities toward suicide.

The Oregon law, which this resolution supports, lacks adequate safeguards. The state has failed to investigate any allegations of abuse or to engage in any meaningful oversight. The law permits "doctor shopping" such that if one doctor refuses to prescribe the lethal drugs, the patient or family can simply find another doctor who will. Whether or not a person has only "six months to live" is often greatly misdiagnosed, leading to suicide of those who are not terminally ill. Finally, the law fails to adequately protect patients with mental illness, particularly depression.

While Resolution 101-2012 notes the passage of physician assisted suicide laws in Oregon, Washington and Montana, it fails to mention that over 24 states have either defeated bills to legalize it or have passed laws explicitly banning it. A lengthy list of national disability organizations join DRW in opposing physician assisted suicide, including the National Council on Disability, the National Council on Independent Living, American Disabled for Attendant Programs Today (ADAPT) and the Disability Rights Education and Defense Fund.

DRW requests that the Board of Delegates oppose Resolution 101-2012. Instead, DRW urges the Board of Delegates to consider adoption of resolutions that promote access to affordable community-based services for people with disabilities and quality palliative care for those at the end of life.