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Position Statement on SB 676 / HB 1021, Death With Dignity Act

The Arc Maryland will oppose SB 676/HB 1021, the Death With Dignity Act, which would legalize physician assisted suicide in Maryland. The position is taken on behalf of our concerns regarding its impact on people with intellectual and developmental disabilities.

The Arc Maryland's concerns include lack of protections, historic discrimination in the medical field based on perceived 'quality of life' of persons with disabilities, and lack of treatment and other options for individuals with I/DD (such as palliative care, suicide prevention, mental health services, support services, etc.). Our constituency is unduly vulnerable to coercion by trusted individuals and professionals.

The bill provides no guarantees that persons who are terminally ill (including those with and without I/DD) will have rights to access all available options, and there is no guarantee that once a person is given their diagnosis, that they will also have the right to access mental health care in order to process the grieving cycle that may take place before making a potentially life-ending decision.

There is no mandatory screening mechanism for depression before making this decision, and no acknowledgment of the reality that when given the news of a terminal illness, individuals may be incredibly vulnerable, and would benefit from first having access to mental health care before making decisions in a depressed state of mind.

In the profit-driven healthcare system and environment of cost containment, The Arc Maryland believes there is a clear danger that individuals with I/DD will not be advised of other options; instead we believe there is a danger the health care system would steer individuals to the least expensive options rather than the above supports individuals may need.

People with intellectual and developmental disabilities have historically and presently face discrimination and lack of access to medical care based on their perceived value. People with I/DD have been denied access to health care, basic needs such as food and water, organ transplants and surgery; historically their lives have been devalued compared to the lives of non-disabled people, which presents huge concerns when considering the possibility of physician assisted suicide as a legal "option" for those who either have a disability, or may acquire a disability as a result of their diagnosis.

In analyzing the current bill, there is also no requirement that a medical professional or independent witness be present when an individual takes the lethal dose of physician prescribed medication. Given the disproportionate levels at which people with I/DD are the victims of coercion and abuse (including by caretakers), this is concerning since there is no one present to verify that the individual taking the medication did so without being forced, and of their own free will.

Unfortunately, people with I/DD (including those with a dual diagnosis of mental illness, such as depression) often encounter a health care system that provides limited choices. Without access to the full array of supports, the legalization of physician assisted suicide is dangerous for people with I/DD.

There are only two states that have legalized physician assisted suicide. The experiences of people with I/DD are unknown in these states. The Arc Maryland believes greater information on the experiential impact on people with I/DD is required to understand the full ramifications and unintended consequences. Maryland should not be an early adopter given the enormous concerns and lack of evidence of the impact upon people with I/DD.

Given these concerns, the history of marginalization faced by people with I/DD, and in concordance with The Arc U.S.'s national position, The Arc Maryland will oppose SB 676/HB 1021 this session.

To view The Arc U.S. Position Statement, click here: [Position Statement](#).