

NEW YORK STATE DEATH WITH DIGNITY ACT

The Chelsea Reform Democratic Club urges the passage of a **NEW YORK STATE DEATH WITH DIGNITY ACT** that allows physicians to prescribe lethal medications for terminally ill patients only after they have voluntarily expressed their wish to die, made a written request for medication for the purpose of ending their life in a humane and dignified manner in accordance with the other safeguards of this act, and two physicians have certified that the patient is of sound mind and has less than six months to live.

Two fundamental principles support its passage. The principle of autonomy recognizes a person's right to hold views, to make choices, and to take actions based on personal values and beliefs as well as the need for treating agents so as to allow, or to enable, them to act autonomously. The principle of humane treatment basically evolves from a combination of compassion and the conviction that a decent society does its very best to eradicate physical and mental cruelty, including the humiliation of unnecessary suffering. We believe that there are terminally ill patients who, even with optimal end-of-life care, would prefer an earlier ending because it best fits their view of humane and dignified death.

We believe the following objections are not thoroughly convincing: that existence is always preferable to non-existence; that terminally ill patients seeking deliverance must first wait until society provides all its citizens basic health care and protection against catastrophic costs; and finally that, without decriminalizing legislation, patients determined to end their life can easily find a sympathetic physician who will provide the necessary prescription.

As persons we have the moral right, and as citizens the constitutional right, to make the most intimate and personal choices central to personal dignity and autonomy. This includes the right to exercise some control over the time and manner in which we die. To say that we have this right is not to say that, given these circumstances, we have a moral duty to die. No such duty exists. This right need not be exercised. In fact, we know that, after obtaining lethal medication, many choose not to use it. The bottom line is that the existence of this right, and of itself, gives many a freedom from worry and a greater sense of security. Having the necessary medication, even if it is not used, may not vanquish the fear of death but it often adds a very precious peace of mind.

Submitted by Marvin Kohl, CRDC Vice President

Approved by Executive Committee March, 2003