

SB 579 STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

Senate Committee On Judiciary

Action Date: 04/08/19
Action: Do pass.
Vote: 4-3-0-0
Yeas: 4 - Fagan, Gelser, Manning Jr, Prozanski
Nays: 3 - Bentz, Linthicum, Thatcher
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Channa Newell, Counsel
Meeting Dates: 4/5, 4/8

WHAT THE MEASURE DOES:

Allows second request for lethal medication under Oregon's Death with Dignity Act if qualified patient's attending physician medically confirms patient will, within reasonable medical judgment, die within 15 days of initial request. Requires medically confirmed certificate of the imminence of patient's death be included in patient's medical record.

ISSUES DISCUSSED:

- History of Death with Dignity Act
- Barriers to access
- Difficulty in predicting when terminal patient may die
- Prevention of undue influence on terminal patient

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Death with Dignity Act (DWDA) was enacted by initiative petition in 1994, but implementation was delayed until 1997. Since that time, over 2,200 prescriptions for lethal medications were written and 1,459 deaths resulted from those prescriptions. To use DWDA, a person must have a terminal disease, be capable, and have made a voluntary request for life-ending medication. The person must make an oral request and a written request and reiterate the oral request to the attending physician at least 15 days after making the initial oral request. Additionally, another 48 hours must elapse between a patient's written request and the writing of a prescription for life-ending drugs.

Senate Bill 579 waives the 15-day waiting period between oral requests when the attending physician determines, within reasonable medical judgment, that the person will die within 15 days of making the initial oral request. Senate Bill 579 also requires a medically confirmed certificate of the imminence of the patient's death be contained in the patient's medical record.