

TESTIMONY IN OPPOSITION TO HB 239

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My mom, who died just about two months shy of her 99th birthday, was a staunch supporter of the philosophies espoused by the “Death With Dignity” crowd. She explored options available through The Hemlock Society and made it crystal clear she would not live being dependent on anyone, including any of her four children. We all understood: Mom was not going to be kept alive by any artificial means, not going to live with any of her kids, and most assuredly not going to be a burden. She even moved, in her mid-eighties, to Oregon, believing she would be able to implement plans to end her own life if she lived in a state where the “Right to Die” was legal.

Mom developed dementia in her nineties, necessitating some major changes in her life; any inclination she might have had to take her own life or seek Medical Assistance in Dying was a thing of the past. We helped move her into assisted living and then into Memory Care, where she became eligible for hospice care when her physician determined she was likely into the last six months of her life. Our family moved at about that time from Southern California to Las Vegas; we decided, with Mom’s approval, to move her with us to Las Vegas. If it didn’t work out we figured she could be in Memory Care in Las Vegas as easily as she could in SoCal.

It wasn’t necessary to move her to Memory Care, as it turned out. With an outstanding hospice team we were able to care for her at home until her death. The six months her doctor

had predicted she wouldn't live past stretched into a year-and-a-half, and she actually was discharged a couple of times from hospice and then recertified when she began to fail.

So this feisty lady who had adamantly insisted all her life she would never be a burden on anyone or live with any of her children took up residence with us in Las Vegas. She—and by extension, we—had an amazing experience with the full support of hospice. We had a family reunion and several visits from special friends of hers during the time she lived with us. We took her with us to Ikea when we needed some items for the house; Costco was a relatively new experience for her, and she never tired of the food samples. They were a real treat for her. None of these experiences would have been possible for her or for her family if she had been a MAiD recipient. Would she have regretted missing these moments? I believe she would have; I know I would have.

She died peacefully, without pain or fear, in her own room, with her beloved cat beside her on the bed. I would argue that she is a perfect example of someone who would have insisted on utilizing the provisions for MAiD in SB 239, had she received a terminal diagnosis prior to the onset of her dementia. She is also a perfect example of someone who could be at risk, unable to comprehend the wishes she had previously expressed, e.g. to obtain medication from her doctor that would allow her to commit suicide. My mom thought her suicide would be the way to prevent being a burden on any of her kids, facing a miserable death full of fear, loneliness, and pain, or losing control of her destiny. With the support of hospice, though, she avoided all of that. She did not need a doctor's prescription to kill herself; she needed hospice and palliative care, which is available to everyone.

I find SB239 disquieting in its entirety, but I'm especially concerned about why it has even been deemed necessary. I have followed with interest (and dismay) the implementation of Compassion and Choices' "Death With Dignity" campaign as they have sought to bring this to each state and have lobbied relentlessly to have it voted into law. Why "Death With Dignity" laws are necessary consistently eludes me; stories of agonizing deaths due to unchecked pain and absent medical support have completely confounded me because they seem, ultimately, impossible to verify.

It is completely reasonable to want to die without suffering, without losing dignity, without fear; I am willing to bet virtually everyone understands these principles. Why must a physician prescribe a lethal combination of drugs to terminate a life? Why would we want to have a law requiring that death certificates be falsified? This is precisely what SB239 requires, with its provision that no coroner may initiate an investigation into a "MAiD" death, but instead must falsify the death certificate to state the underlying illness that qualified a person for the lethal prescription in the first place. This is much more than the old slippery slope analogy; in fact it is reminiscent of 1930's Germany.

It's worth a look at what has happened in Canada since their MAiD laws were implemented. Euthanasia is now alive and well in the Canadian healthcare system, and there are proposed laws now that would allow children over the age of 12 to be euthanized without parental consent. Children—including infants—are now legally euthanized in Canada, as are citizens suffering from depression, homelessness, and poverty. If we let that sink in for a moment, we can see that not having enough money to pay for an apartment, or food, or transportation suddenly qualifies as a reason for euthanasia. Wow. I've been poor a few times

in my life but I can say now that I'm grateful nobody thought euthanizing me was a solution to my problems.

People with dementia or Alzheimer's disease or Lewy Body Dementia or Lou Gehrig's Disease or Down Syndrome or any other of a number of conditions would be eligible for MAiD under SB239, and certainly for euthanasia under the expanded definition currently utilized in Canada. Who decides when a life is not worth living?

Plumer, MH and Cecil, MC. Leaving Early: The Reality of Assisted Suicide and Euthanasia in 2022. In Supportive and Palliative Care and Quality of Life in Oncology. Hassam, ed. 2022. Open access. <https://www.intechopen.com/online-first/leaving-early-the-reality-of-assisted-suicide-and-euthanasia-in-2022>