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To: Senate Judicial Proceedings Committee
From: Michael W. Davis

Date: February 28, 2020
Subject: SB 701 - End-of-Life Option Act (Richard E. Israel and Roger "Pip" Moyer Act)
Position: IN SUPPORT

I am a life-long Republican, from a Republican family, and I fully support the End-of-Life Options Act.

A little more about my credentials:

- I started my own law firm nearly 40 years ago, and it is now one of the largest in Howard County.
- Since 1985, when the first Living Wills statute was passed in Maryland, and 1993, when the current Advance Medical Directive statute was enacted, as an estate planning attorney, I counseled well over 3000 persons about Living Wills.
- I was a member and Vice-Chair of the Ethics Committee at Howard County General Hospital for eight years, during which time all conflicts regarding Living Wills were referred to this Committee.

The bases for my support of this bill are numerous, however the most important reason is that fundamentally, every person should have the right die with dignity. There should be no question about this right.

I recognize that many consider that this bill may put pressure on vulnerable adults with serious health problems who may worry that they may be a burden on their families.

This is precisely the same argument that was made in 1985 by religious organizations and others when the first Living Will statute was passed. And this argument then, as it is now, reflected fear of the unknown, not facts.

Indeed, I worked with the Horizon Foundation in Howard County on a program initiated by that foundation, called Speak(easy) Howard, to encourage people to execute health

care powers of attorney and living wills. As part of this initiative, many, many churches, including Catholic churches, synagogues, and Muslim-based religious organizations provided input to this effort, and then helped spread the word among their congregations.

Obviously, the fears of opponents were not realized with the implementation of the Living Wills statutes. And, anecdotal evidence notwithstanding, there is no data from the nine states and the District of Columbia that will suggest that these fears will be realized should the End-of-Life Options Act be implemented in Maryland.

The End-of-Life Options Act contains several safeguards to protect vulnerable adults; remember, however, each safeguard is also a hurdle for a person to exercise their natural and fundamental right to choose their own manner of death when death is likely. So, there must be a balancing of interests. This bill achieves that balance.

Fundamental human rights and human dignity must be important to us as both Republicans and as Marylanders. I strongly urge provide a favorable report for this bill.