



COMMISSION ON AGING

February 1, 2024

Health and Government Operations Committee
Chair, Delegate Joseline A. Pena-Melnyk
Vice Chair, Delegate Bonnie Cullison
Room 241
House Office Building
Annapolis, Maryland 21401

HB 403 SUPPORT

Dear Chair Pena-Melnyk and Vice Chair Cullison:

I am writing on behalf of the Montgomery County Commission on Aging (CoA) in support of HB 403 (The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act) that would authorize an individual, under very specific and limited circumstances, to request aid in dying. The CoA is authorized by the Older Americans Act, P.L. 116131, and was established by Montgomery County in 1974 to advise County government on the needs, interests, and issues of concern to its older residents, and to advocate on their behalf at the local, state and national levels. End-of-life care is an issue of great concern to much of our constituency.

End-of -life care is an issue of bodily autonomy and people at the end of life deserve this option. Furthermore, it also is an issue of compassion. Sometimes, palliative care or hospice simply do not end an individual's suffering or improve their quality of life. HB 403 allows people who are nearing the end of life to die in peace if they meet specific requirements spelled out in the legislation and, importantly, if it is their desire to do so.

For some individuals and groups, the provisions of this bill may be antithetical to their personal convictions and beliefs. The proposed legislation includes numerous safeguards to ensure that the request for help is truly and entirely voluntary on the part of the individual and that there is no duress or coercion from any source. Further, there are provisions to ensure that the individual has the capacity to make this decision and that the individual may also change their mind at any time. For a person who is gravely ill, but mentally competent, the legislation will provide an additional option in the care they choose to receive as they near the end of life.

This bill is modeled after legislation in authorized jurisdictions and is comparable to the Oregon Death with Dignity Act. The Oregon Act has been in effect for over 25 years without a single instance of abuse or coercion. Just like the Oregon Death with Dignity Act, to be eligible, a

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person must be: 1) an adult, aged 18 or older, 2) terminally ill with a prognosis of 6 months or less to live, and 3) mentally capable of making an informed healthcare decision.

In conclusion, the Montgomery County Commission on Aging strongly supports HB 403. When hospice and palliative care are no longer effective for a person who has 6 months or fewer to live, that person should have the option to obtain prescription medication so they can die peacefully on their own terms. We encourage the State of Maryland to join the ten other states and the District of Columbia to allow this option so individuals may choose not to live the end of their life in intolerable pain and suffering.

Thank you for your attention to our views. We hope you will give this Bill favorable consideration.

Sincerely,

David Engel

David Engel, Chair

Montgomery County Commission on Aging

Department of Health and Human Services

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