

**Testimony in Support of  
HB 0933 End-of-Life Option Act (The Honorable Elijah E. Cummings and  
the Honorable Shane E. Pendergrass Act)**

**FAVORABLE**

To: Delegate Joseline A. Pena-Melnyk, Chair. Delegate Arian B. Kelly, Vice-Chair and members of the Health and Government Operations Committee.

FROM: Rev. Kenneth O. Phelps. Jr.

As an Episcopal priest, I regret that I cannot offer this testimony on behalf of the Episcopal Diocese of Maryland.

In 1991, the Episcopal Church passed a resolution against assisted suicide and other forms of active euthanasia, stating that it is “morally wrong and unacceptable to take a human life in order to relieve the suffering caused by incurable illness.” This resolution was based on the church’s broader view at that time “that one should never take a life, even your own.”

But, our church has also come to teach that it is justified to stop medical treatment, including artificial nutrition and hydration, when that treatment brings significantly more burdens than benefits to a person. Such decisions also should be informed by the moral norm against taking life, with the dividing being the difference between the intent to take life and the withdrawing of treatment.”

And, as we have continued to wrestle with this question in the ensuing years, there is a sense within the church now that hard-and-fast rules on end-of-life issues may not fit every circumstance. To quote Timothy Sedgwick, a professor of Christian ethics at Virginia Theological Seminary, “Although we have a clear moral norm against the taking of human life, there may be cases that stand beyond that judgment.”

As we continue to re-examine our stance on the right of an individual to end one’s life under certain circumstances, other Christian bodies have moved to voice their support and I agree with their theological reasoning.

The United Church of Christ supports the right of terminally ill patients to make their own decisions about when to die – including whether to hasten death. This position is in keeping with their broader church teachings that stress the importance of respecting individual conscience and choice, To quote the Rev. Timothy Tutt, a senior minister at Westmoreland Congregational United Church of Christ in Bethesda, Md.

“We believe that each of us approaches God on our own terms, and this includes at the end of our lives,” he says. According to Tutt, the church also supports the right of families to discontinue treatment for incapacitated loved ones who are near death or in a vegetative state. “Once again, this is a decision of conscience,” he says, adding that families should base their decisions on what their minds and hearts tell them is best for their loved ones. Says Tutt: “We encourage people to ask: Am I being a wise or unwise steward of my parent’s life by keeping her alive to the very end?”

In 1988, the Unitarian Universalist Association of Congregations (UUA) passed a resolution advocating “the right to self-determination in dying.” As a result, the church supports laws such as those in Oregon and Vermont that enable terminally ill patients, under carefully defined circumstances, to seek physician assistance in hastening their own death. Unitarian Universalists also support the right of a legally designated proxy to make life-and-death decisions for a patient, including withdrawal of life support, in cases in which the patient is unable to make such choices.

From my own life experiences, dealing with a significant number of individuals and families who have wrestled with end of life issues, I can say that I have known cases where the individual in question was in such suffering – and with no hope of recovery or improvement – that they pleaded for their own death as a means of relieving their own anguish and that of their families. This bill would provide a means – not for all patients and not in every circumstance – for someone to end their personal suffering with dignity and humanity, at a time of their choosing.

Ultimately, our faith is one that honors the sanctity and integrity of the individual conscience.

I note with interest that several weeks ago, this Committee held a hearing on HB 705 – the Declaration of Rights - Right to Reproductive Freedom, which would establish that “every person, as a central component of an individual’s rights to liberty and equality, has the fundamental right to reproductive freedom; and prohibiting the State from, directly or indirectly, denying, burdening, or abridging the right unless justified by a compelling State interest achieved by the least restrictive means.” The bill received a favorable report just this week.

I agree with this committee that a woman has a right to determine what is best for her own body and her own health. And, if that is the case, how can we say it is not the right of another individual – one who is terminally ill and suffering physically, emotionally and psychologically - to determine what is best for their body and not only their health, but the emotional and psychological health of their family and loved ones.

These ultimate questions of life and death belong with the person most intimately affected, not with the church, a legislative committee or a bureaucratic panel.

Besides, this is also – ultimately – a question of love and mercy. And, if there are indeed, “cases that stand beyond that judgment,” as my own Church is beginning to see, how can we deny an individual this right, or this dying request.

I ask for a favorable report.