

Dan Diaz
TheBrittanyFund.org

February 5, 2024

Support: Senate Bill 443 – End-of-Life Option Act (The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act)

Dear Judicial Proceedings Committee,

My name is Dan Diaz and I am Brittany Maynard's Husband. Brittany died on November 1, 2014 of a brain tumor in Portland Oregon. She was only 29 years old and experienced a gentle dying process only because of the option of medical aid in dying.

But before she died, Brittany very publicly advocated for this legislation because she felt it was a huge injustice that we had to leave our home in California, just to ensure she could experience a gentle death. Had we stayed in California the brain tumor would have tortured her to death.

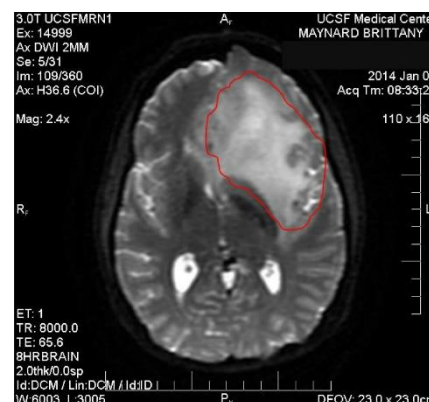
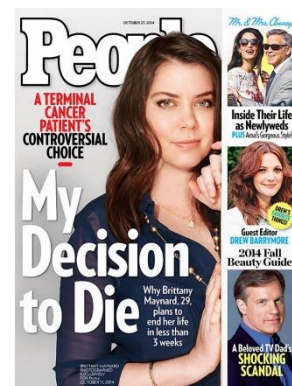
Brittany was determined to live as long as possible. She endured an 8 hour brain surgery and we researched every treatment option that was available. Unfortunately, the tumor continued growing aggressively.

To be clear, a terminally ill individual that applies for this option is not deciding between living and dying. The option of living is no longer on the table. (The opponents seem to ignore that.) Brittany's only option is between two different methods of dying. One is gentle. The other is terrifying and filled with unrelenting suffering.

The advances of modern medicine are truly remarkable. I want to emphasize the importance of palliative and hospice care at end of life. (Brittany's team played an incredible roll in trying to keep her comfortable.) However modern medicine cannot control an individual's pain and suffering at end of life in 100% of the cases. Period.

Any assertion by any physician or anyone else that they can control suffering in all cases, that is simply not true. Full stop. I can line up physicians, nurses, hospice care workers to refute such arrogant claims. That paternalistic view of: 'a doctor telling the patient when you've suffered enough and then hooking up them up to a morphine drip as they experience a terrifying death,' Brittany refused to accept that.

After working on this legislation for the past 9 years, it has become increasingly clear that the opponent's campaign is based on fear. They use inflammatory words like 'suicide' and 'euthanasia' in their attempt to scare legislators into continuing with the status quo, instead of acknowledging what a terminally ill individual is going through. And nowhere along the way do the opponents offer an alternative, another remedy, or solution to terminally ill individuals who are in Brittany's predicament.



When Brittany died there were only 4 States with this option. Now there are 11. The people of Maryland deserve better than what she had to endure. No one in Maryland should ever have to leave their home and move to another state in order to have the option of a gentle dying process.

Two final points...

- From a religious perspective, as a Catholic I take great pride in the fact that 70% of Catholics nationwide agree with Brittany and support a terminally ill individual's right to have this option. (The church is officially opposed, but the congregants overwhelming support this option.)
- The safeguards in this legislation protects everyone who applies for it, and it also protects individuals who don't. The passage of this bill, will for the first time protect the most vulnerable in our society (the disabled and frail elderly) from the type of abuse that is currently occurring behind closed doors. (The two letters below from the Executive Director of Disability Rights Oregon refutes the notion of abuse or coercion in the use of their Act over the past **21 years.**)

Sincerely,

Dan Diaz
Brittany Maynard's Husband





DISABILITY RIGHTS OREGON

February 14, 2019

To Whom It May Concern:

My name is Bob Joondeph. I am the Executive Director of Disability Rights Oregon (DRO). I have held this position since 1991. DRO is the Protection and Advocacy program for Oregon, providing legal based advocacy for individuals with mental and physical disabilities throughout the state.

I have been a licensed attorney in Oregon since 1976. Our staff includes ten other attorneys, paralegal/investigators, intake specialists, benefits planners and support staff. DRO is mandated under federal law to investigate complaints of abuse or neglect of individuals with disabilities including inappropriate actions taken to hasten the death of an individual.

In the years since passage of the Oregon Death with Dignity Act (the Act), DRO has received very few complaints from disabled Oregonians about the Act. All of the complaints we have received have focused on the concern that the Act might discriminate against persons with disabilities who would seek to make use of the Act but have disabilities that would prevent self-administration, thereby denying these persons the ability to use the Act. DRO has never to my knowledge received a complaint that a person with disabilities was coerced or being coerced to make use of the Act.

Yours truly,

A handwritten signature in black ink, appearing to read "Bob Joondeph".

Bob Joondeph
Executive Director