
TESTIMONY IN SUPPORT OF HOUSE BILL 1328
**End-of-Life Option Act (The Honorable Elijah E. Cummings and the Honorable
Shane E. Pendergrass Act)**
Health & Government Operations Committee
March 3, 2025

Social Work Advocates for Social Change strongly supports HB 1328, which would authorize individuals in Maryland to make requests for aid in dying and establish requirements and prohibitions governing aid in dying. This bill would increase agency for terminally ill people to choose how they want to live out the ends of their lives.

The modern history of assisted dying in the United States started in 1997 when Oregon became the first state to pass its Death with Dignity Act. Nine states have since passed similar acts: Washington in 2009, Vermont in 2013, California in 2015, Colorado in 2016, D.C. in 2017, Hawai'i in 2018, New Jersey and Maine in 2019, and New Mexico in 2021. Sixteen other states have introduced legislation. Amendments to existing legislation have allowed for changes to improve patient access, removal of the 48-hour waiting period, expansion of telehealth access, and removal of residency requirements.¹

Oregon's Death with Dignity Act (DWDA) allows terminally ill patients who can make informed decisions to request medication that facilitates a peaceful and dignified death. Since its enactment in 1997, over 4,000 individuals have utilized this law, with 67% choosing to end their suffering through self-administered medication. In 2023, such deaths accounted for less than 1% of total deaths in Oregon. Most patients, typically aged 65 or older with terminal cancer, chose to pass away at home under hospice care. The primary concerns for those requesting aid in dying were the loss of autonomy, the inability to engage in enjoyable activities, and a loss of dignity.² This compassionate approach offers individuals the option to die on their terms, surrounded by dignity and peace. Maryland should provide its residents the same right to choose a humane and respectful end-of-life process.

Oregon's DWDA has not only created more agency for people at the end of their lives but has also facilitated important conversations about end-of-life care, incorporated death with dignity as part of health care, and produced a symbiotic relationship of assisted dying with both palliative and hospice care. Most Americans have said they would prefer to die at home, but many patients do not have enough control over decisions regarding their own care. In Oregon, more people die at home or in hospice – settings most Americans view positively – than in any other state, with the DWDA driving improvements in end-of-life care. It has also produced more

¹ Death with Dignity. (n.d.) *The History of the Death with Dignity Movement: 1990s to Now*.
<https://deathwithdignity.org/history/>

² Oregon Health Authority. (2023). *Oregon Death with Dignity Act: 2023 Data Summary*. Retrieved from
<https://www.oregon.gov/oha/PH/PROVIDERPARTNERRESOURCES/EVALUATIONRESEARCH/DEATHWITHDIGNITYACT/Documents/year26.pdf>

appropriate training on palliative care for physicians and increased efforts to expand access to hospice care, which allowed for increased referrals to hospice.³ Under California's End of Life Option, physicians report that conversations between health workers and patients help assuage patients' fears and needs around dying and address them better.³ The law has improved medical care even for those who don't utilize it. Contrary to expectations, death with dignity has not replaced palliative and hospice care, but has instead enhanced them. Those in states with death with dignity laws not only are more knowledgeable on end-of-life care issues than those in states without such laws, but also show better use of the end-of-life care options that predate the laws.³

Washington, D.C., Maryland's closest neighbor amongst the states with aid-in-dying laws, has shown promising results since enacting its Death with Dignity Law in 2017. Twenty-four patients between 2017 and 2022 ended their lives under the act.⁴ Among its most ardent supporters are the patients who may benefit most as well as healthcare professionals. Many of those who have chosen to die do not necessarily want to stop living, they just want to stop suffering. Having death with dignity laws in place allows them to be at home with loved ones at the time of their deaths. Governor Wes Moore has already expressed his desire to pass the bill if it makes it to his desk.⁴ Support in Maryland for such a bill has been steadily increasing, with surveys showing 54% in favor of death with dignity laws in 2016 and 66% in favor in 2020.⁵

Social Work Advocates for Social Change urges a favorable report on HB 1328. The history of similar legislation across the country shows that bills like HB 1328 empower terminally ill patients with increased knowledge of options for end-of-life care while respecting their autonomy to choose among them. HB 1328 will grant them the ability to have a peaceful death surrounded by loved ones, which many patients have cited as important. As said by the Honorable Elijah E. Cummings, after whom this bill is named: "At the end of life, an individual's right to self-determination about one of the most personal decisions that anyone could make supersedes the moral sensibilities of others."⁶

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

³ Death with Dignity. (2018, December 7). *The Impact of Death with Dignity on Healthcare*. Death with Dignity. <https://deathwithdignity.org/news/2018/12/impact-of-death-with-dignity-on-healthcare/>

⁴ Haring, C. (2024, January 30). *Can Washington, D.C. be a Blueprint for Aid in Dying in Maryland?* Death with Dignity. <https://deathwithdignity.org/news/2024/01/dc-can-be-blueprint-for-md-dwd-law/>

⁵ Death with Dignity. (n.d.) Maryland. <https://deathwithdignity.org/states/maryland/>

⁶ Congressman Elijah Cummings Endorses Maryland End-of-Life Option Act. (2019, February 15). Compassion & Choices. Retrieved February 19, 2025 from <https://compassionandchoices.org/news/congressman-elijah-cummings-endorses-maryland-end-of-life-option-act/>