

Support HB 1328 – End-of-Life Option Act

To: Luke Clippinger & House Judiciary Com., Chair Joselina Pena-Melnyk & House

My name is Renee Annette Cantori. I have spent much of my life in Pasadena and Annapolis, Maryland, I am writing to ask that you support HB 1328 - “The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act.”

I have been advocating for this bill to become law in Maryland for - I’ve lost count now - maybe 8 years? Nine years? After a while it’s hard to come up with any new information. But, at the end of my testimony, I am including additional information about some myths put out by those not supporting the bill.

Anyway, I am writing this testimony for myself, as well as for my children, my grandchild, who live in Maryland. I also am writing this testimony on behalf of other family members and my friends and any terminally ill Marylander who wishes to have autonomy in this most important, personal choice. Additionally, ever since this legislation was first introduced in Maryland, at the request of my mother, I have written testimony on her behalf. My mother passed a little over a year ago, in hospice here in Severna Park, Maryland. She was 100 years old.

I mention hospice because I think it’s important for legislators to know that supporters of medical aid and dying (MAID) are not adverse to hospice. In fact, my mother-in-law, in addition to my mother, my mother-in-law, and my father used hospice services.

I, like many supporters, view MAID as one additional tool to allow mentally capable, terminally ill adults additional end-of-life care options, in this case the option to obtain prescription medication they can decide to take to peacefully end their suffering if it becomes unbearable.

In many cancer patients towards the end of life, there is breakthrough pain that cannot be managed through pain medicine.

This happened to the husband of a friend of mine in Maryland, as well as to a relative of mine in New Jersey. They died in complete agony. It was very difficult to hear the stories, especially when realizing that had MAID been legal, they could have had the option to avoid this suffering. However, this option was denied to both of them. Cancer - the same form that my relative in NJ had - is what runs in my own family.

You likely know there has been no evidence in any of the 10 states and Washington, DC, that authorize a form of medical aid in dying, that this legislation has ever been abused. As you can see, the way the bill is written there are multiple safeguards to ensure that only those who are capable of making a decision and physically capable of taking this prescription medicine can opt for MAID.

I also don't have to tell you that there is overwhelming support in Maryland for MAID. No doubt you have seen the poll numbers. A 2023 poll of Maryland residents found that "71% of Maryland voters think that a mentally sound adult with an incurable, terminal illness who only has six months or less to live, should have the legal option of medical-aid-in-dying." (1) Please listen to the people. They, WE, want this option. Even if you personally would not choose to use this option, I ask that you allow it for those who potentially would wish to do so.

Also, here below is a compendium of some myths about the disabled community and others being against MAID:

Claim: People with disabilities are against MAID.

Truth: This claim often comes from representatives of advocacy organizations that oppose MAID. It is ridiculous that this is claimed. There is no group made up of people with capacity to make self-care choices in which all members of that group all share the exact same point of view. It is condescending to deny that anyone could have a personal position that differs from others in the group. The positions of these patient advocacy organizations is that of their Boards of Directors and cannot possibly represent the opinions of everyone they advocate for.

People with disabilities are not, in-fact, a monolithic group unable to make self-care choices. People with disabilities have consistently been found to be some of the strongest proponents in favor of passage of MAID laws. Us for Autonomy is a grassroots national organization formed by people with disabilities in favor of making all end-of-life options (including MAID in the appropriate setting) available to all people with capacity to make self-care choices. The right to make medical choices being a basic right and a reflection of our right to autonomy and personal choice.

Nearly 8 out of 10 US residents (79%) who self-identify as having a disability agree that "medical aid in dying should be legal for terminally ill, mentally capable

adults who choose to self-ingest medication to die peacefully” according to a 2023 survey by Susquehanna Polling & Research (2).

Claim: MAID laws can be used to coerce a disabled person to take the MAID medications.

Truth: No one can request the medication except for the person with the terminal illness. Guardians and those with powers of attorney cannot authorize MAID for those they represent. Life expectancy in order to request MAID drugs must be of six months or less (same criterion as that for getting Hospice care). There is no requirement to ingest the medication (about 1/3 of prescriptions written in states and jurisdictions where MAID is legal never get used). The requesting patient must be a “Qualified Individual” which means being an adult, have “Capacity to make Medical Decisions”, Have a terminal illness and Have the ability to self-administer medication (Affirmative, conscious, and voluntary act of ingesting medication)” (orally only).

The qualified individual must make an oral request for MAID medication to the attending physician followed by a written request and a second oral request. “At least one of the oral requests must be made while the individual is alone with the attending physician” (to avoid pressure from others). Witnesses must include at least one person who is not a relative and one person not entitled to any part of the inheritance at the time of the MAID request being made (pages 7&8).

Claim: MAID laws will be used to kill older people and the disabled.

Truth: “An individual is not a qualified individual solely due to age, disability, or a specific illness.” (page 10) If a physician does not follow the requirements of the law and misuses it, they will be found guilty of murder.

Claim: “Just look at what is happening internationally. Assisted dying is authorized in Canada and several European countries. MAID will result in a slippery slope of expanded use in the USA.”

Truth: MAID laws have been authorized in ten states and the District of Columbia for cumulatively more than 100 years in the states-years of experience where they are now legal. Oregon, the first state to have legalized MAID, has had over 27 years of experience with MAID (over a quarter of a century!) with no credible reports of

abuse or coercion of individuals to use MAID. There has not been any loosening of safeguards in the states authorizing MAID. Subsequent MAID laws have been based on the model of Oregon's law. There has been no expansion of the criteria permitting the use of MAID. **After more than a quarter of a century of experience, it is clear that there is no "slippery slope" in use of this law.**

(1)- Gonzales Maryland Poll, Gonzales Polls, Inc. January 2023

(2)- USA/National Public Opinion Survey of 1,004 respondents – Cross Tabulation Report, February 2023. Access here: <https://bit.ly/SPRNatDisabilityPoll2023>

Thank you.

Respectfully,

Renee Cantori