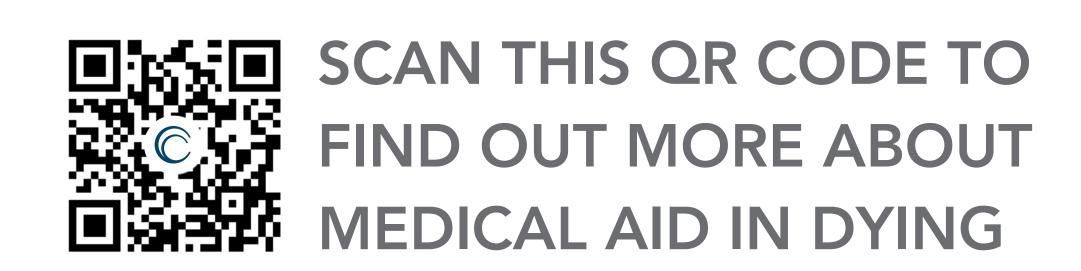
# What Is Medical Medical Aid in Dying?

A trusted and time-tested medical practice that allows a terminally ill, mentally capable adult with a prognosis of six months or less to live to request from their doctor a prescription for medication they can decide to self-ingest to die peacefully in their sleep. Medical aid in dying is part of comprehensive end-of-life care alongside hospice and palliative care.

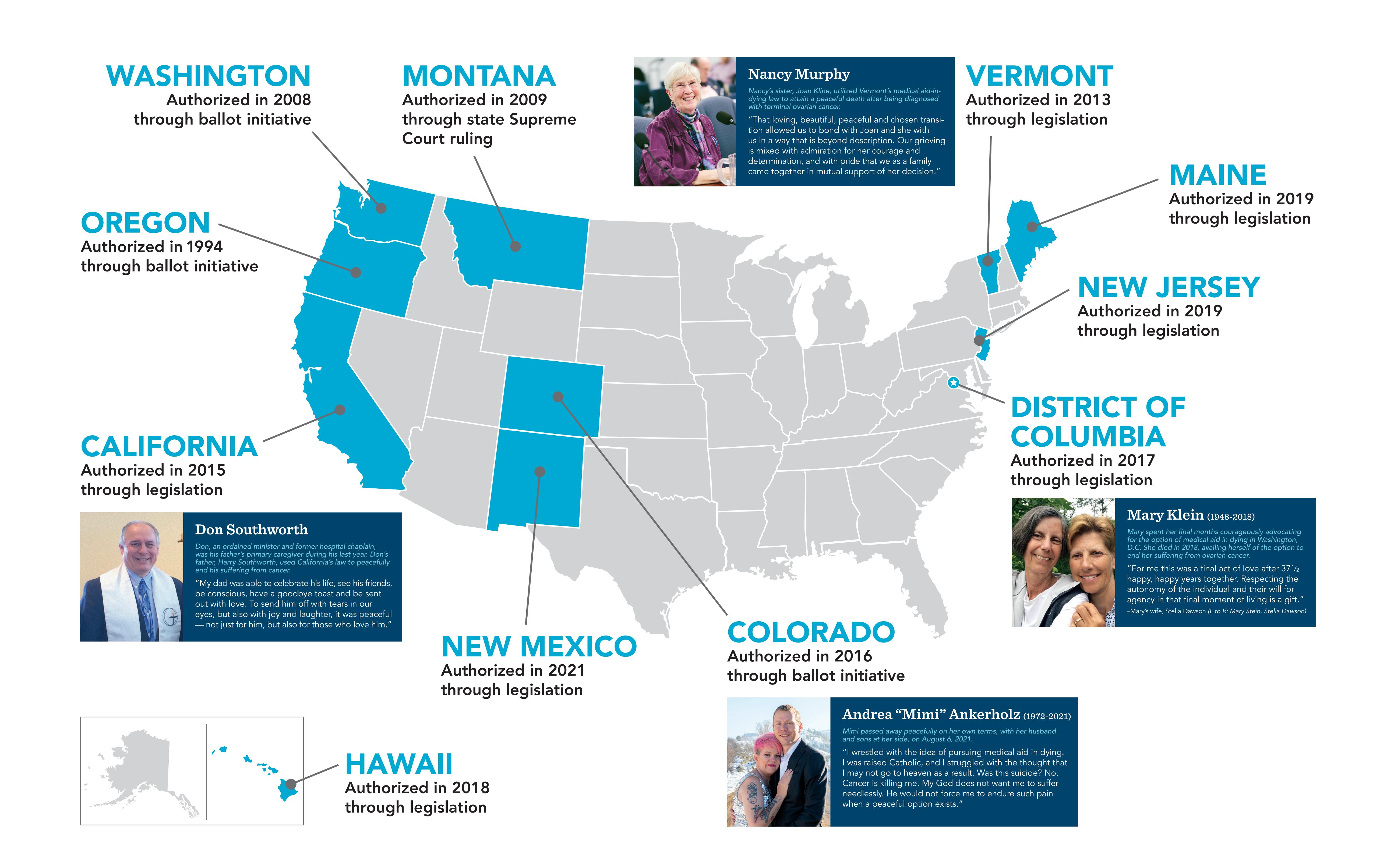
With 1 in 5 adults living in a state that allows access to medical aid in dying, New Yorkers are watching as loved ones living in other states experience the peace offered by medical aid in dying.





# Where Is It Authorized?

Compassion & Choices has led or supported campaigns to authorize medical aid in dying and implement this medical practice in 10 states and Washington, D.C.



## Healthcare Providers and People of Faith Support Medical Aid in Dying



David Pratt, M.D. Rexford, New York

Internist, lung specialist and primary care physician with experience in outpatient palliative care; former commissioner of Public Health Services in Schenectady County.

"Medical aid in dying honors autonomy, gives options, affords dignity and is true to the ethical principle of beneficence ... This is an urgent matter for many New Yorkers ... let's honor their autonomy and provide them this crucial option."



Sonja Richmond, M.D. Washington, D.C.

Board certified internist, board certified hospice medical director.

"I treated a terminally ill man in intractable pain who was able to pass away on his own terms surrounded by the people who loved him most. This experience made me a passionate supporter of giving terminally ill people the option of a gentle death that medical aid in dying affords."



Victoria Casper, MSN, RN, CNML Central New York

A nurse manager for more than a decade.

"My 34 years working as a nurse in acute care, including hospice, has shown me that end-of-life experiences can be profoundly religious for patients and their families. As a medical professional, it's important for me to honor a patient's faith and allow them to approach life's end in a way that is consistent with their beliefs. My own faith as a Catholic has taught me to lead with compassion toward all who are suffering. That is why I support New York's Medical Aid in Dying Act."



Frederick A. Davie, M.Div. New York, New York

Former executive vice president and current senior strategic advisor, Union Theological Seminary in the city of New York.

"I support New York's Medical Aid in Dying Act because allowing terminally ill people the option of medical aid in dying when all hope for curative treatment is gone is an expression of grace. This compassionate end-of-life option allows family members and close friends to be present and support the last wish of a loved one in their final hours. There are those for whom medical aid in dying is not an appropriate choice at the end of life, but passing this law changes nothing for those who don't agree with medical aid in dying. New York's Medical Aid in Dying law simply allows everyone to die in a way that is consistent with their priorities, values and faith beliefs."



Rev. Dr. Richard Gilbert Rochester, New York

A retired Unitarian Universalist minister, Rev. Gilbert supports medical aid-in-dying legislation.

"[Medical aid in dying] is the last right of a human being ... the greatest reverence for life is to end human suffering."

### Physician Support for Medical Aid in Dying

TOTAL SUPPORT: 67%

**TOTAL OPPOSITION: 19%** 

When New York physicians learned about how medical aid in dying would be implemented in the bill before the state Legislature, their level of support jumped 18 points, from a 30-point margin (56%–26%) in support to a 48-point margin (67%–19%) in support. BY A MARGIN OF

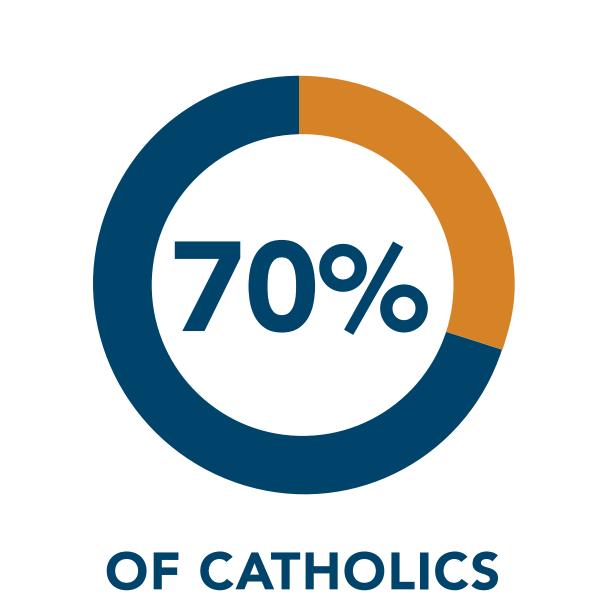
63%-20% **SUPPORT OPPOSE** 

New York state physicians said they would like to have the option of medical aid in dying if they become terminally ill.

### People of Faith Support Medical Aid in Dying

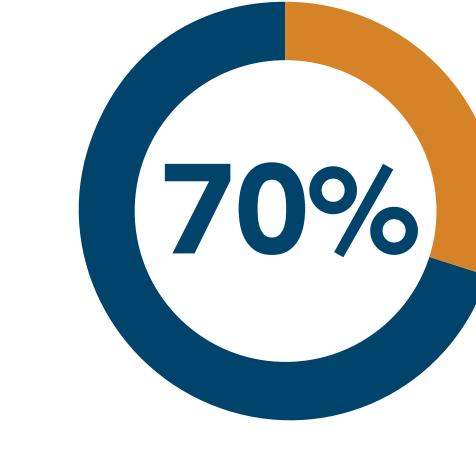
Surveyed by a leading evangelical research firm, two-thirds of Americans agree that "When a person is facing a painful terminal disease, it is morally acceptable to ask for a physician's aid in taking his or her life."

### MAJORITY SUPPORT INCLUDES:



53%

59%



OF ALL **CHRISTIANS** 

OF PEOPLE IN **OTHER RELIGIONS** 

Source: WebMD/Medscape 2019

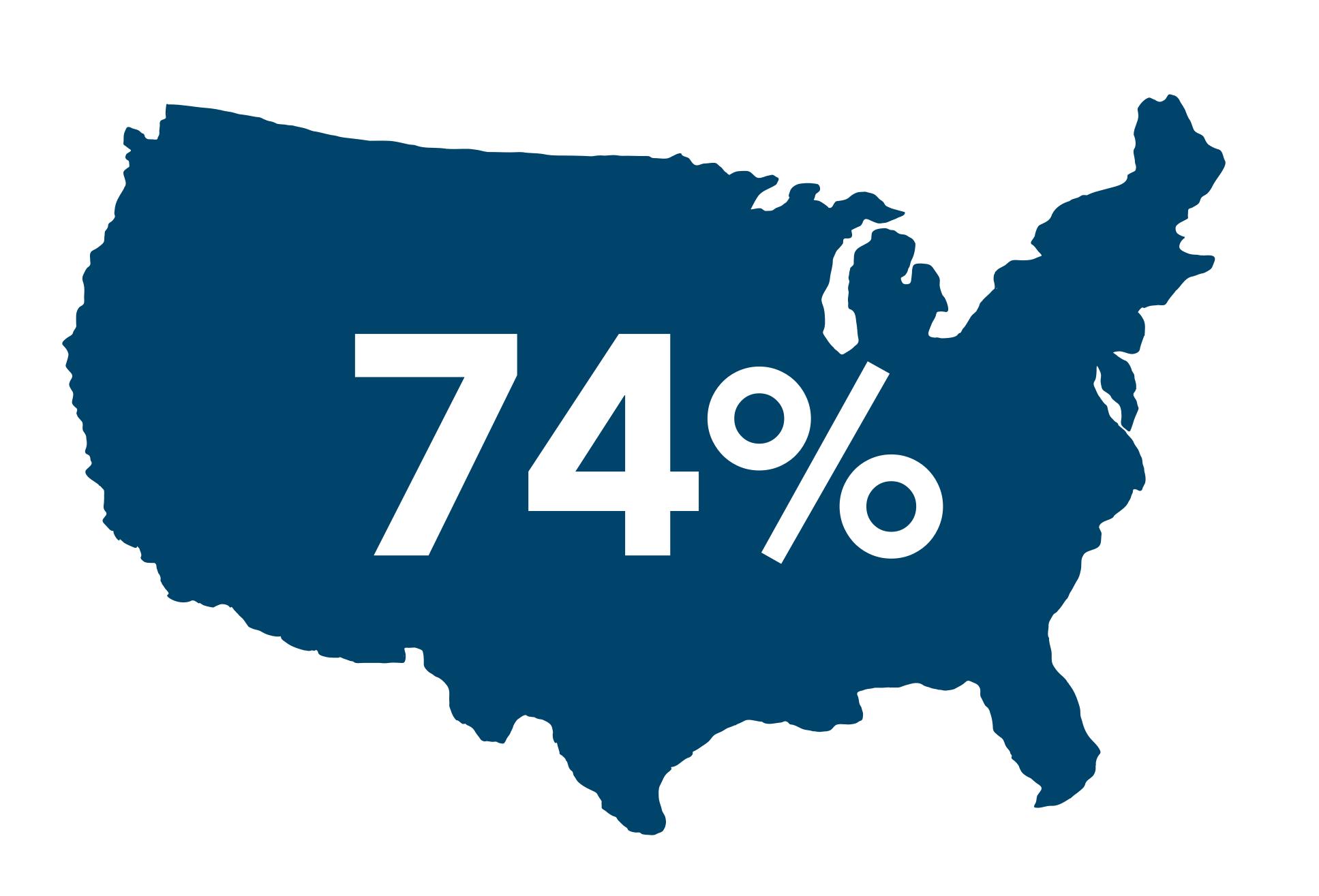


Source: 2016 National LifeWay survey

# New York State Supports Medical Aid in Dying

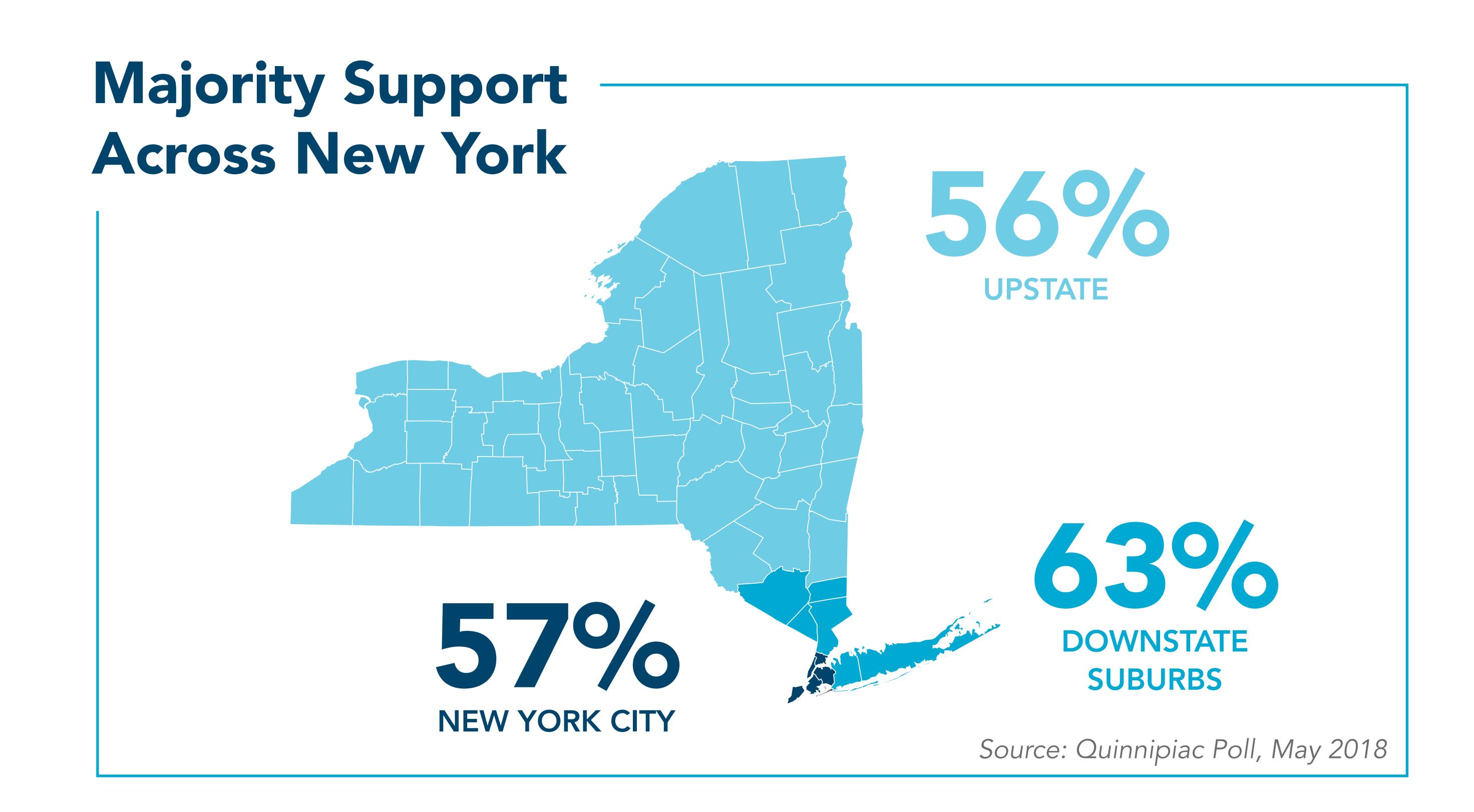
### Nationally, Nearly 3 Out of 4 Adults Agree ...

"When a person has a disease that cannot be cured ... doctors should be allowed by law to end the patient's life by some painless means if the patient and his or her family request it."



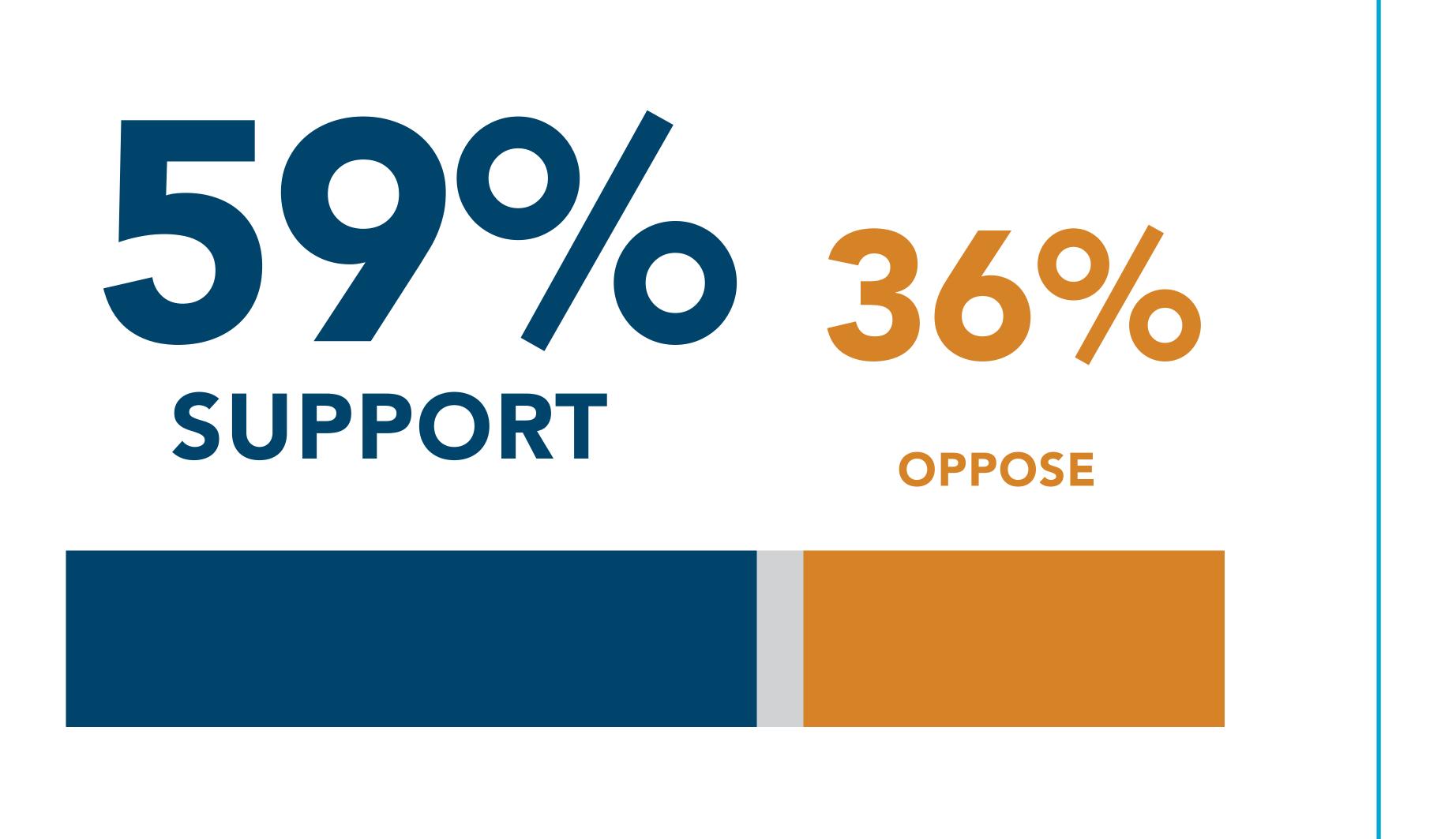
The poll showed majority support in every demographic group Gallup surveyed, including gender identity, religion, age, level of education and party affiliation.

Source: Gallup 2020



### New York State Registered Voters Support...

"legislation which would allow doctors to prescribe a drug dose to an adult who has been told they have less than six months to live so the patient can take their own life if they want to"



Source: Marist Poll, October 2021

### A Broad Array of Groups That Represent Every Aspect of Civil Society Support End-of-Life Autonomy

- » 1 in 9 Long Island Breast Cancer Action Coalition
- ACT UP-NY
- The Arc New York
- Adelphi NY Statewide Breast Cancer Program
- Black Nonbelievers of NYC
- » Congregation B'nai Yisrael
- » Death with Dignity National Center
- » Death with Dignity Albany
- » End of Life Choices New York
- » Gay Men's Health Crisis (GMHC)
- » Harlem United
- » Hispanic Health Network
- » Housing Works

- » Jim Owles Liberal Democratic Club
- Latino Commission on AIDS
- Latinos for Healthcare Equity
- » League of Women Voters of NYS
- Mobilizing Preachers & Communities (MPAC)
- » New York Civil Liberties Union (NYCLU)
- New York Society for Ethical Culture
- New York State Academy of Family Physicians
- New York State Public Health Association
- New York Unitarian Universalist Justice (NYUUJ)
- NOW-NY
- Planned Parenthood Empire State Acts (PPESA)

- Rochester Breast Cancer Coalition
- SAGE (Advocacy & Services for LGBT Elders)
- Sadhana: Coalition of Progressive Hindus
- Secular Coalition of America New York
- StateWide Senior Action Council
- United University Professors Committee on Active Retiree Membership & New Paltz Chapter
- » Village Independent Democrats
- Voters for Change-ADK
- » WCLA-Choice Matters
- » WESPAC Foundation





# New York Medical Aid in Dying Act

# The legislation allows:

A terminally ill, mentally capable adult with a prognosis of six months or less to live the option to obtain prescription medication they can decide to take to die peacefully in their sleep if their suffering becomes unbearable.

The bill is modeled after the Oregon Death With Dignity Act, which has been in effect for more than 20 years without a single substantiated accusation of abuse or coercion.

### It includes over a dozen safeguards:

- >>> The individual must be able to self-ingest the medication.
- >>> Two physicians must confirm that the person is terminally ill with a prognosis of six months or less to live, is making an informed healthcare decision and is not being coerced.
- >>> The terminally ill person can withdraw their request for aid-in-dying medication, not take the medication once they have it or otherwise change their mind at any point in time.
- >>> The attending physician must inform the requesting individual about all of their end-of-life care options, including palliative care and hospice.
- >>> There is a mandatory mental health evaluation if either physician has concerns about the person's mental capacity to make their own healthcare decisions. The mental health provider must confirm in writing the dying person's capacity before a prescription can be written.
- >>> The individual must make an oral and a written request (requiring two witnesses one cannot be a relative or someone who stands to benefit from the person's estate) for aid-in-dying medication.

- >>> Health insurance benefits are unaffected by the availability of medical aid in dying, and life insurance payments can't be denied to the families of people who use the law.
- >>> No physician, health provider or pharmacist is required to participate in medical aid in dying.
- >>> Those who comply with all aspects of the law receive civil and criminal immunity.
- Anyone attempting to coerce a patient will face criminal prosecution.
- >>> Unused medication must be disposed of as required by state and federal laws.
- >>> The New York health commissioner is required to issue a publicly available annual report about the usage of the law. Patient and physician identifying information is kept confidential.
- The underlying illness not medical aid in dying will be listed as the cause of death on the death certificate.



# These New Yorkers Died Asking New York's Legislature to Pass the Medical Aid in Dying Act

We've lost dozens of supporters — many of whom suffered needlessly at the end of their lives while the Legislature has failed to take up this measure. These are just a few from across the state.







Fay Hoh Yin (1932-2020)

Fay lived with her daughter Monona Yin in Brooklyn while in treatment for lymphoma. She did not want to suffer needlessly at life's end and advocated for the option of medical aid in dying.

"Quality of life, to me, means to live the best you can, while you can, and then when you cannot do this anymore, I should have the legal right to say that's it. I support medical aid in dying because I think it will give so many terminal patients some sense of control when pain becomes unbearable."



Eugene "Gene" R. Hughes (1959-2021)

Utica

A longtime advocate for the rights of those living with disabilities and former director of advocacy for RCIL (Resource Center for Independent Living), Gene believed that personal autonomy should also apply to end-of-life decisions.

"Allowing people with disabilities to make this decision at the end of life would empower us and legitimize our autonomy. We want control in life, and we want control at the end of life. My life's value cannot be diminished by medical aid in dying. To the contrary, my life would be empowered by passage of the Medical Aid in Dying Act. It would give me the autonomy I've worked so hard to maintain since my very first day in a wheelchair."



Bonnie Edelstein (1941-2021)

Bonnie founded Death With Dignity-Albany, which includes more than 700 members. Since 2015 the organization has provided free educational programming and still serves as a hub for advocacy on end-of-life options.

"The cause has become, in part, a spiritual mission for me driven by my experience and my faith. I saw my mother through the end of her life, which was miserable and painful and prolonged. It didn't have to be that way. I see being a part of this movement as part of my obligation as a human being and a primary Jewish value of tikkun olam, to make a difference in the world."



Bernadette Hoppe (1965-2019)

An attorney, Bernadette urged legislators to authorize medical aid in dying while facing terminal cancer.

"We plan for births, even though it's going to happen when it's going to happen, so why can't we do that for this last piece of our lives?"





# Medical Aid in Dying Is NOT Suicide

Suicide is a public health crisis worthy of our collective efforts. But medical aid in dying is different from suicide.

### MEDICAL AID IN DYING SUICIDE An accepted medical practice Often carried out alone and in in which at least two healthcare secrecy, leaving loved ones providers confirm terminal with devastating grief. diagnosis and prognosis. Allows for a peaceful death Death is often violent and at home where chosen loved has a traumatic impact on communities. ones can be present. There is only one factor that There are many factors that can lead to medical aid in dying: can lead to suicide, including incurable terminal illness. mental health conditions. Prohibiting medical aid in Proper intervention can dying will not prevent death; it prolongs end-of-life suffering.



- >>> The American Academy of Hospice and Palliative Medicine
- >>> The American Academy of Family Physicians
- >>> The American Academy of Neurology
- American Medical Women's Association
- >>> GLMA: Health Professionals Advancing LGBTQ Equality
- >>> The American Medical Student Association
- American Public Health Association
- >>> The American College of Legal Medicine
- New York State Academy of Family Physicians



Those opposed to medical aid in dying describe it as 'suicide,' but I am not suicidal. I'd like nothing more than to live for as long as I can, but I know that my breast cancer will someday end my life. I want to live to see my first grandchild take her first steps. But I also don't want to suffer needlessly at the very end of my life. That's why I'm begging lawmakers to authorize medical aid in dying in 2022."

- Susan Rahn, Rochester resident, longtime medical aid-in-dying advocate living with a stage 4 breast cancer diagnosis



Lawmakers who are committed to reducing the incidence of suicide in their communities can support legislation authorizing medical aid in dying without compromising their commitment to suicide prevention. Medical aid in dying is not suicide, and authorizing New York's Medical Aid in Dying Act will allow qualified terminally ill adults to consult with their own trusted healthcare professionals to make decisions that are best for them and their families at the end of their lives."

- Dr. Jeff Gardere, M.Phil., M.S., D.Min., Ph.D., ABPP, board-certified clinical psychologist/associate professor, Touro College of Osteopathic Medicine





# The Desire for Patient Autonomy at the End of Life Is Universal



### Dolores Huerta

Civil rights icon Dolores Huerta joined a bilingual education campaign promoting legislation to expand end-of-life care options in New Mexico, Nevada, New Jersey and New York. Today 69% of Latinos nationwide support medical aid in dying. Huerta holds the Presidential Medal of Freedom award, the nation's highest civilian honor.

"I watched my mother suffer and die in agony from cancer, so I know first-hand about the desperate need for expanded choice at the end of life. That is why I spent long hours in California working to pass the state's End of Life Option Act, authorizing medical aid in dying, that took effect in 2016."



### Elijah Cummings (1951-2019)

Maryland Congressman Elijah Cummings endorsed Maryland's medical aid-in-dying legislation before his death. This excerpt of a letter by Rep. Cummings was read by Maryland Delegate Shane E. Pendergrass at a 2019 hearing of the state's Joint Committee on Health and Government Operations.

"... I have experienced the loss of far too many people ... some of whom suffered for months knowing they were about to die ... There are those among us whose conscience can never accept that any person should have the right to choose the manner and timing of their passing [but] 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."



### Janet Duprey

Retired Republican NYS Assemblymember Janet Duprey spoke about her mother, who ended her life by choosing to surrender her feeding tube. Her death by voluntarily stopping eating and drinking, known as VSED, took 11 days.

"My dad, Peter Lacy, died in 1994 of mesothelioma ... At the end he had excruciating pain, and even the great care from hospice and the prescribed morphine didn't touch the pain. Five years later my Mom died following a series of strokes ... Without any food or even a sip of water, my mother lived for 11 long days. I hope none of you ever have to go through it ... I want the ability to choose my own destiny."



### Stephen Hawking (1942-2018)

Dr. Stephen Hawking was a theoretical physicist, cosmologist and author who was director of research at the Centre for Theoretical Cosmology at the University of Cambridge at the time of his death. Diagnosed with ALS at 21, Hawking once opposed the idea of medical aid in dying, but changed his stance to support the right of terminally ill people who are suffering to end their lives.

"I think those who have a terminal illness and are in great pain should have the right to choose to end their lives and those that help them should be free from prosecution," he told an interviewer in 2015. He also told the BBC in 2014 that it would be "discrimination against the disabled to deny them the right [that] that able bodied people have."



### Tina Turner

Legendary singer Tina Turner wrote about her own end-of-life planning following several serious medical issues — including a kidney transplant — in her 2018 memoir My Love Story.

"I was surviving, but not living ... Once you live this long, there's not much more ahead. If my kidneys were going, and it was time for me to die, I could accept that ... I didn't mind the thought of dying ... but I was concerned about how I would go."





# THANK YOU to New York State lawmakers who have sponsored the Compassionate Medical Aid in Dying Act

# Will you take a stand for compassion

& add your name as a bill sponsor this year?

### PAST BILL SPONSORS

### 2021-2023

A.4321a - Khaleel Anderson, Jeffrion Aubry, Edward Braunstein, Chris Burdick, Kenny Burgos, Pat Burke, Robert Carroll, Sarah Clark, Catalina Cruz, Taylor Darling, Maritza Davila, Carmen De La Rosa, Inez Dickens, Jeffrey Dinowitz, Harvey Epstein, Charles Fall, Nathalia Fernandez, Phara Souffrant Forrest, Emily Gallagher, Eddie Gibbs, Deborah Glick, Jessica González-Rojas, Andrew Hevesi, Alicia Hyndman, Chantel Jackson, Kimberly Jean-Pierre, Anna Kelles, Charles Lavine, Jen Lunsford, Donna Lupardo, Zohran Mamdani, Melissa Miller, Marcela Mitaynes, Amy Paulin, Victor Pichardo, Gary Pretlow, Phil Ramos, Karines Reyes, Robert Rodriquez, Linda Rosenthal, Nader Sayegh, Rebecca Seawright, Amanda Septimo, Gina Sillitti, Phil Steck, Steve Stern, Yudelka Tapia, Fred Thiele, Clyde Vanel, Carrie Woerner

**S.6471 -** Jabari Brisport, Samra Brouk, Leroy Comrie, Nathalia Fernandez, Michael Gianaris, Pete Harckham, Brad Hoylman, Robert Jackson, Liz Krueger, Zellnor Myrie, Jessica Ramos, Gustavo Rivera, Julia Salazar, Luis Sepúlveda

### 2019-2020

A.2694 - Michael Blake, Ellen Jaffe, Anthony D'Urso, Michael Miller, Felix Ortiz, Carmen Arroyo, Aravella Simotas, Walter Mosley, Barbara Lifton

S.3947 - Velmanette Montgomery, Jen Metgzer

### 2017-2018

A.2383a - Phil Steck, Billy Jones, Clifford Crouch, William Magee, Frank Skartados

**S.3151a -** Marisol Alcantara, Martin Dilan, Jesse Hamilton

### 2015-2016

A.10059 - Janet Duprey

A.2129a - Earlene Hooper

S.5814a - John Bonacic





# A Hospice Pioneer Who Championed Expanding End-of-Life Options: Remembering Dr. Robert Milch (March 25, 1943 – June 4, 2021)



Dr. Milch co-founded Hospice Buffalo, believed to be one of the first 11 hospices in the country, in 1978. He served as both its first volunteer medical director and later its first fulltime director. What became the hospice model that he helped to nurture grew steadily across America starting in the late 1970s.

An internationally renowned surgeon and palliative care pioneer, Dr. Milch was named Citizen of the Year by The Buffalo News in both 1993 and 1999; he was awarded the Hastings Center's first-ever Cunniff-Dixon Physician Lifetime Achievement Award; and he won UB Medical School's Berkson Memorial Award for his compassionate patient care and excellent teaching.

In his final days, Dr. Milch penned an opinion piece to accompany a video message to lawmakers. In it, he said:

Suffering is something to be defined by each patient, by each person, in the context of their lives, their families and what they are enduring. I would not presume to dictate to another human being what they must endure. I truly believe that had medical aid in dying been allowed in New York when I was practicing, I would have been a better physician.

The inaction by the Legislature to make medical aid in dying available to New Yorkers has become punitive. We have all the data we need from decades of experience in other states. Legislators, you need not endorse this end-oflife care option, but for goodness sake, don't prohibit it. And by not acting on it, that's exactly what you're doing."



Dr. Milch's family is committed to honoring his advocacy by continuing to fight for New York's Medical Aid in Dying Act.



"I'm picking up where [my grandfather] left off. I'm going to work on an issue that will help suffering New Yorkers, and I'm going to see it through to the end. I promised Papa I would get this law passed for him. And that's exactly what I'm going to do. Look out, legislators, I'll be coming to visit you in Albany in January. It's time for you to get this done."

– Ari Klein, Dr. Robert Milch's grandson





# A 24-year old Ballet Dancer Suffered Because Lawmakers Failed to Act

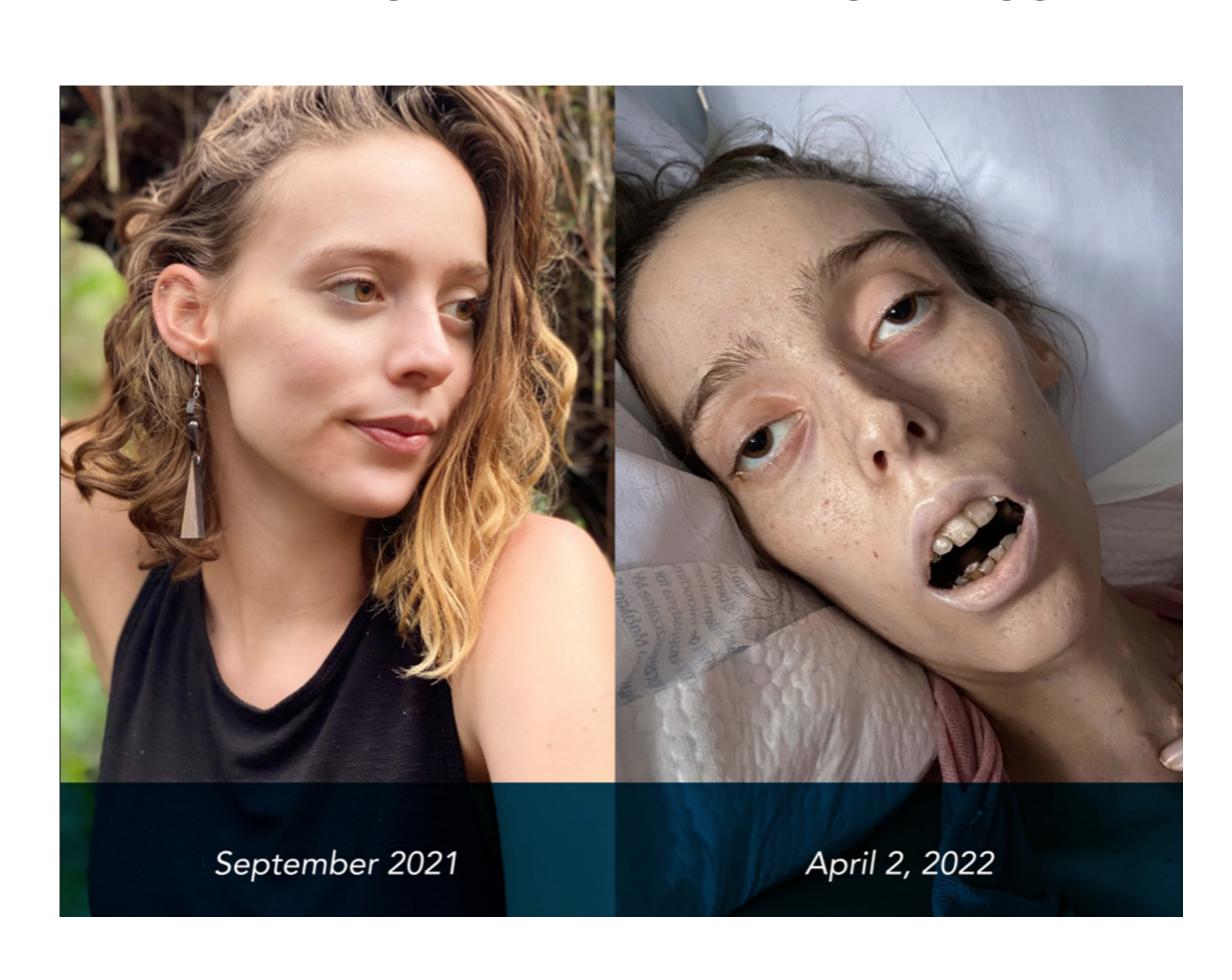
Remembering Ayla Rain Eilert (December 14, 1997 - April 2, 2022)





Ayla was a dedicated ballet dancer in New York City and continued to work, teach and dance as long as she could after being diagnosed with squamous cell carcinoma of the tongue, an extremely aggressive and dangerous form of cancer. There are some forms of brain cancers with higher survivability rates. She fought valiantly throughout treatment, and she never wanted to suffer needlessly at the end of her life. Tragically, she spent her final days in agony because New York State lawmakers failed to authorize medical aid in dying in New York State.

Following Ayla's diagnosis, she exhausted every treatment option available including removal and rebuilding of half of her tongue, aggressive



radiation concurrent with multiple types of chemotherapy -- it was an intensely painful, nauseating, and distressing three months. Even after her terminal diagnosis, she tried immunotherapy. Sadly, nothing helped.

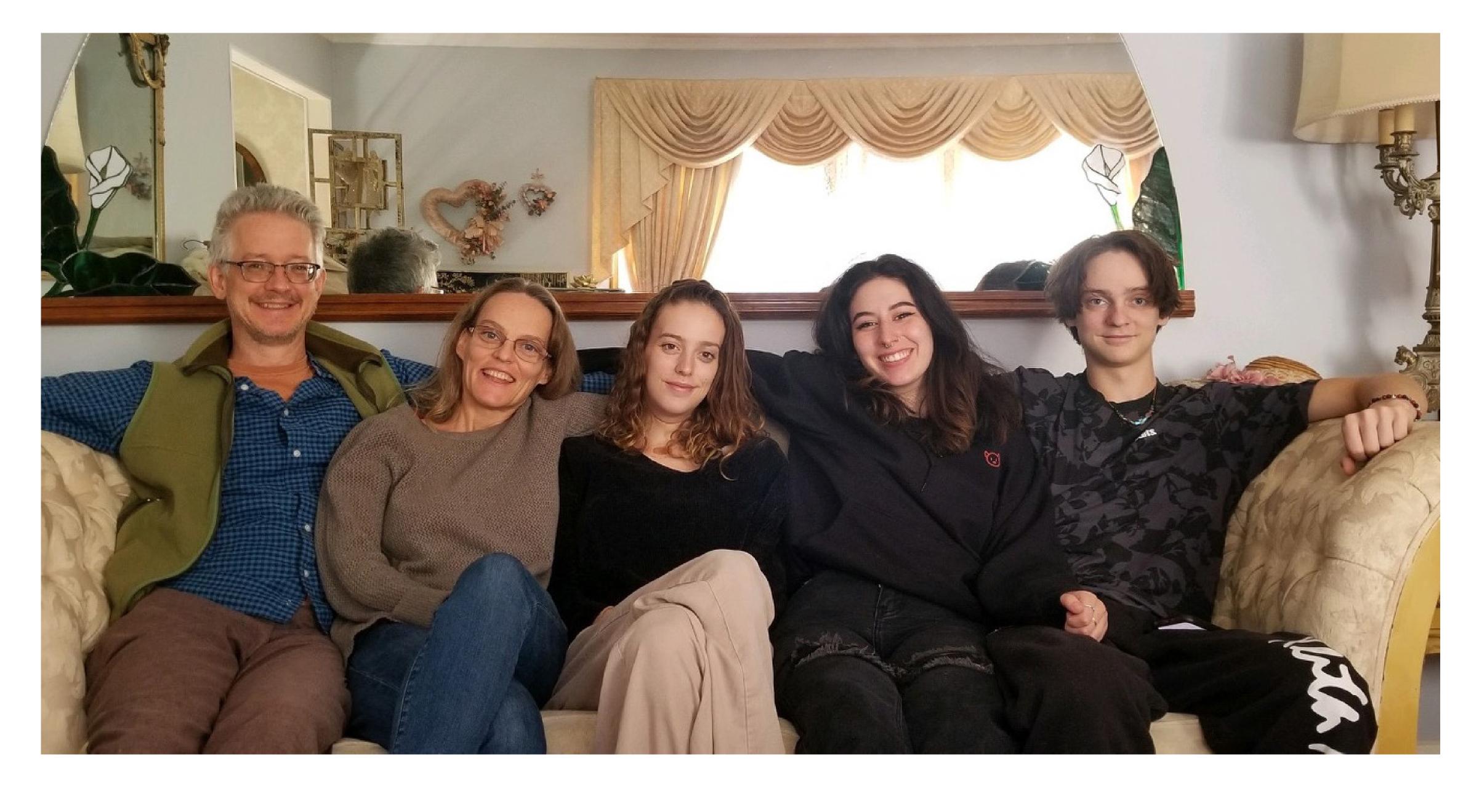
And in another month, she'd be dead. The pain of the cancer far exceeding the pain of treatment, and outpacing the ability of the medical team to manage it.

Thirty-two days before she died; the day she was pronounced terminal, she started asking for Medical Aid in Dying and pleaded with every doctor, nurse, social worker, or aide, "Please help me die." Crying when they could not.

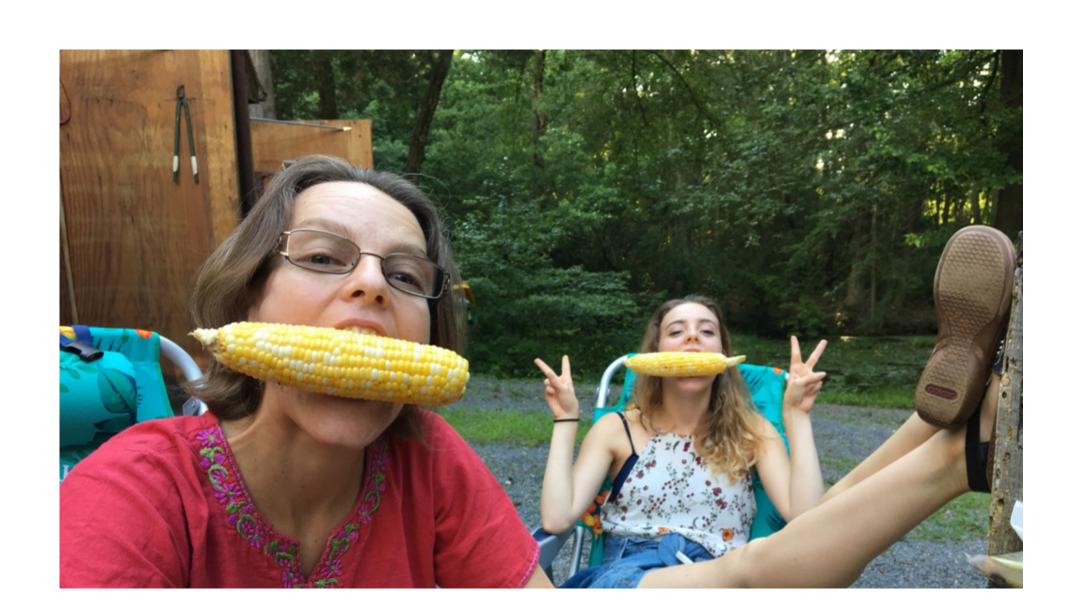
Despite receiving treatment at a top-tier hospital known for its expertise in head and neck cancer as well as palliative care, Ayla still spent the final days of her too-short but brilliant life scratching and clawing at her throat, using sign language when she could no longer speak for the second time, "my neck hurts: tylenol please: pain is at a 10." Her parents spent those final days stunned, watching their daughter suffer and beg for help that remained unavailable.

Following Ayla's death, her parents
Amy and Daren Eilert penned an
op-ed urging lawmakers to pass the
Medical Aid in Dying Act.

but what they share is a desire to safeguard the dignity of a loved one stricken by terminal illness — to let them end their lives without agonizing pain, on their own terms... If Ayla had been afforded the option of medical aid in dying, she could have avoided weeks of needless suffering and those last excruciating moments. No parent should have to witness their child pointlessly suffer while begging for help to die."



Ayla's family is honoring her memory by continuing to advocate for medical aid in dying to ensure no terminally ill New Yorker is forced to endure the same needless suffering. And no surviving family should have to also reconcile the memory. "It's bad enough to lose someone, without also having to process needless trauma. Death in itself, is peaceful. It's the disease that causes pain."



"Please have mercy,
provide grace, and practice
compassion. Please pass the
Medical Aid in Dying Act."

Amy Eilert



# C compassion WINTER TOUR

This winter, Compassion & Choices New York traveled statewide — from the North Country to Buffalo to New York City — to host a series of community conversations and local events calling on lawmakers to stop needless suffering and pass New York's Medical Aid in Dying Act.

### Western New York

# ROCHESTER SPECTRUM NEW YORK NEW YORK SPECTRUM NEW YORK NEW Y

Advocates push for passage of Medical Aid in Dying Act in New York





Supporters advocate for Medical Aid in Dying Act to be passed

### ROCHESTER

### UXX

Discussing the state of medical aid in dying in New York

### Medical Aid in Dying Act

### BUFFALC

THE BUFFALO NEWS

Letter: New York must allow medical aid in dying

Advocates push for passage of

### BUFFALO

### **HOSPITAL REVIEW**

New York physicians push for aid-indying law



### Central New York

### ONEOTA

### Daily Star

In your opinion: Aid in dying is not suicide

### syracuse.com

SYRACUSE

Extend freedom to make medical decisions to how one chooses to die

### ITHACA

### ithaca journal

NY must pass Medical Aid in Dying Act

### North Country

### 

Advocates of New York's Medical Aid in Dying press for passage in Plattsburgh

### **PLATTSBURGH**



Why the Medical Aid in Dying Act is not passed in New York

### AKE PLACID/SARANAC LAKE



Campaign to pass Medical Aid in Dying Act comes to the North Country

### CANTON



Group to discuss medical aid in dying

### Capital Region

### ALBANY



Commentary: Medical aid in dying is about humanity, not dystopia

### Hudson Valley/New York City

### **NEW YORK CITY**

### ELDIARIO

Legislation gaining ground in NY that would authorize terminally ill medical aid in dying

### **NEW YORK CITY**

### EMPIRE REPORT

Statewide Tour to Urge Legislature to Do the Right Thing & Pass the Medical Aid in Dying Act in 2023

STOP THE SUFFERING. PASS THE MEDICAL AID IN DYING ACT.

# — Did someone you love suffer at the end of their life? Share your story here and tell lawmakers why they should sponsor and pass the Medical Aid in Dying Act.