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Patients Rights Council

Update

New Jersey Senate hands assisted-suicide activists their first defeat in 2016

When California's governor signed the doctor-prescribed suicide bill, End of Life Option Act, into law last October, Compassion & Choices (C&C) sent out two email messages to supporters. In the first message, C&C President Barbara Coombs Lee wrote that the group, which was the force behind the California win, intends to "bring the same financial and tactical resources we deployed in California to New Jersey, Colorado, Connecticut, Kansas, Massachusetts, New York, North Carolina—and eventually everywhere people hope to make their own end-of-life decisions." [C&C email, 10/5/15]

The second message contained an embedded video showing Coombs Lee, jubilant over the California victory, proclaiming, "I don't think anything can stop us now!" [C&C video, "Brittany Maynard's Legacy: One Year Later"; email sent 10/6/15]

But it didn't take the New Jersey Senate long to prove Coombs Lee wrong. On January 12, 2016, the last day bills could be voted on in the legislature's "lame duck" session, the "Aid in Dying for the Terminally Ill Act" (S. 382) died due to a lack of support. The bill's sponsors never even brought the measure up for a full Senate vote.

The Assembly version of the bill had passed in November 2014. When it reached the Senate, the Senate Health, Human Services & Senior Citizens Committee reluctantly passed the measure in December 2014 by a vote of 4 to 3. The committee communicated members' uncertainty about the bill by sending it on to the full Senate without "recommendation." The bill's co-sponsor, Senate President Stephen Sweeney, indicated at the time that the measure didn't have the support it needed and that he and the other

sponsors would take the time to educate fellow senators on the issue. [NJ.com, 12/16/14]

Apparently, Sweeney's educational effort failed to garner the support he needed before the end of the session in January 2016. Even with C&C and its coterie of paid lobbyists and volunteers working hard to turn senators into supporters, the lawmakers still saw the dangerous flaws in the bill.

"It became clear that this bill would have a detrimental impact on vulnerable populations and expose them to abuse, coercion and possible denial of health care because it costs more than suicide drugs," said Senator Peter Barnes. "For that reason, there was never a groundswell of support for this bill, and, on balance, we heard from many more voices opposed to this bill." [NJ Alliance Against Doctor-Prescribed Suicide, 1/12/16]

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Canada: High court okays prescribed deaths before deadline

In February 2015, the Canadian Supreme Court ruled that the federal laws banning euthanasia and assisted suicide were unconstitutional, but stayed that ruling for one year to allow the Canadian Parliament and provincial legislatures to enact laws to regulate doctor-prescribed death. Since the court's ruling, there was a general election and a change of government, delaying the introduction of new laws to address the issue.

With the February 2016 deadline just weeks away, the new federal government asked the court for a six-month extension in order to establish and standardize the needed regulations for all provinces.

On January 15, in a five to four decision, the court agreed to extend the deadline by

four months, not six. In addition, it granted an exemption for "individuals who wish to seek assistance in ending their life" during the four-month extension. These individuals could simply ask a superior court judge for permission. [Carter v. Canada, 1/15/16, at 1 & 6]

The court also exempted Quebec from the four-month added waiting period before euthanasia and assisted suicide become legal nationally. Quebec is the only province that legalized the death practices before the high court ruled in 2015. The province enacted its prescribed-death law on December 10, 2015. A spokesperson for the Quebec City health care agency has confirmed that at least one patient was given a lethal injection and died at a local hospital. [National Post, 1/15/16; Daily Mail, 1/18/16]