

Submitter: Conrado von Walther  
On Behalf Of: Self  
Committee: Senate Committee On Judiciary  
Measure: SB891

I have practiced healthcare service delivery for the past 13 years. This legislation offers what appears to be faster acting access, however, the risk of misuse and abuse rise when checks and balances are removed.

1) The waiting period of 15 days was one of the most important safeguards that allowed the voters of Oregon to narrowly pass this law in 1994. Reducing this relatively short reflection period for all patient requests to a mere 48 hours is a betrayal of the trust of voters. There is already language in the existing legislation to shorten the waiting period to one day in the highly unusual situation when a physician believes that the patient may die within the waiting period.

2) Promoters of Measure 16 in 1994 said that it was important that doctors be the one to prescribe for their patients as they knew their patients and could be sure that the request was reasonable and consistent with their personal knowledge of the patient. Their concept was that a thoroughly trained physician (with a minimum of seven years of formal education and practice) would be best to assess the presence or absence of a mental health condition. By expanding providers to include those with as little as 2 years of training, this bill makes it even less likely that a such a provider will be able to make thoughtful decisions about the presence or absence of a mental health problem and the reasonableness of a request.

3) The safeguard of personal delivery of the written prescription to the pharmacist is important to avoid the common problem of facsimiles being misdirected to the wrong pharmacy or not being received at all. Furthermore, it is one more activity for a patient during which he or she might reconsider the choice to actively end their life.

In summary, the changes in this bill further undermine the original safeguards in the ballot measure passed by Oregonians in 1994. Today, the safeguards used to reassure voters are now seen by promoters of "Death with Dignity" as barriers to expand assisted suicide. Legal precedent does not change, nor does our duty to the safety and protection of the most vulnerable. I urge you to reject this bill.