

ADOPTED BY THE  
MAYOR AND COUNCIL

December 15, 2015

A MEMORIAL

RELATING TO STATE LEGISLATION; URGING THE ARIZONA STATE LEGISLATURE TO CONSIDER A "DEATH WITH DIGNITY" OR "AID IN DYING" ACT.

YOUR MEMORIALIST RESPECTFULLY REPRESENTS AS FOLLOWS:

WHEREAS, advances in science and technology have created medical interventions that often prolong the dying process and increase suffering; and

WHEREAS, "aid in dying" describes a medical practice defined by established standards of care, which enables a mentally competent, terminally ill adult to obtain a prescription for medication, which the patient may choose to self-administer, in the face of unbearable suffering, to advance the time of an approaching death; and

WHEREAS, absent the availability of aid in dying, some patients and loved ones in Arizona have become so desperate to relieve suffering caused by terminal illness that they turn to violent means; and

WHEREAS, many find comfort and peace of mind in having access to options at the end of life, including aid in dying, even if they do not exercise those options; and

WHEREAS, a 2014 Gallup Poll found sixty-nine percent of Americans agree with the statement: "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;" and

WHEREAS, at least three (3) states (Oregon, Washington and Vermont) affirmatively authorize the medical practice of aid in dying, enabling terminally ill, mentally competent adult residents to receive a prescription for life-ending medication from their doctor; and

WHEREAS, many people find significant relief in the legal right and medical means of control in bringing an end to the suffering caused by their terminal illness, and only a small minority of the patients who request a prescription for life-ending oral medication actually receive and use it; and

WHEREAS, well-respected health and medication organizations support the passage of aid in dying laws including:

- 1) The American Medical Women's Association's official position "supports the passage of aid in dying laws, which empower mentally competent, terminally ill patients and protect participating physicians, such as that passed in Oregon, the Oregon Death with Dignity Act;"

- 2) The American Public Health Association policy "supports allowing a mentally competent, terminally ill adult to obtain a prescription for medication that the person could self-administer to control the time, place, and manner of his or her impending death, where safeguards equivalent to those in the Oregon DDA are in place;" and

WHEREAS, Arizona recognizes that "[i]t is the public policy of this state, consistent with all constitutionally enumerated rights, as well as those rights otherwise retained by the people, that every person in this state may choose or decline to choose any mode of securing lawful health care services without penalty or threat of penalty." (A.R.S. § 36-1301); and

WHEREAS, the Arizona statute (A.R.S. § 13-1103) that prohibits manslaughter, including the act of "intentionally providing the physical means that another person uses to commit suicide," should not encompass the rational judgment of a psychologically healthy, terminally ill in-

dividual facing end-of-life suffering, who asks his or her physician for the means to die in a humane and dignified manner:

NOW, THEREFORE, YOUR MEMORIALIST, THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA:

SECTION 1. Urge the State Legislature to consider the enactment of legislation, using as a model Oregon's "Death with Dignity Act" and similar legislative acts in other states such as Washington and Vermont, under which terminally-ill adult Arizonans would be allowed to make a written request for the prescription of medication for the purpose of ending life in a humane and dignified manner.

SECTION 2. The City Clerk is hereby authorized and directed to send a copy of this Memorial to the City's legislative representatives, the President of the Arizona Senate and the Speaker of the Arizona House.

PASSED, ADOPTED, AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, December 15, 2015.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY

REVIEWED BY:

\_\_\_\_\_  
CITY MANAGER

MR/dg