

Calif. right-to-die bill stalls on religious opposition and coercion fears

by [Jesse Marx](#)

July 9, 2015

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The California “End of Life Options Act,” otherwise known as SB 128 or “right to die,” was pulled from an state’s Assembly Committee on Health hearing Tuesday (July 7) after the bill’s lead authors say they need more time to convince colleagues who are struggling with the decision and may hold it until next year.

The bill would provide terminally ill and mentally competent patients who’ve exhausted all medical options to obtain a prescription for lethal medication, provided that two physicians sign off. Patients would need to affirm the request after a 15-day waiting period.

These and other safeguards—for physicians, hospitals, religious institutions and insurance companies—are based on a 17-year-old program in Oregon. Washington, Vermont, Montana, and New Mexico also allow some form of physician-assisted death.

In May, after the California Medical Association decided to stay neutral, the bill passed the Senate 23-15 with almost all of the opposition coming from Republicans.

That included Sen. Jeff Stone. As a pharmacist, he questioned whether the bill’s safeguards were enough to prevent coercion, particularly among the poor; whether patients would simply doctor-shop; and whether it would attract suicide tourism.

The strongest opposition has come from smaller medical groups, disability activists, and Catholic leadership.

“We’re the first to acknowledge it represents a sea change in public policy,” said Sen. Bill Monning, a Democrat from Carmel, California, one of the authors, “but we think the sea change has already transpired in public opinion.”

He was referring to a new poll released by Compassion and Choices, the chief right-to-die advocacy group, which suggests that 69 percent of Californians would vote for the bill if put in front of them. A similar survey by the Field Research Corporation, published in 2006, backs up these numbers.

Rob Bonta, a Democrat from Oakland and the chair of the Assembly Committee on Health, threw his weight behind the bill, but that wasn't enough despite the fact that SB 128's backers have spent the last several weeks lobbying Southern California Democrats who are on the fence.

If the legislative effort ultimately fails, the right-to-die advocates are prepared to put the issue on the 2016 ballot. Late last year, Dwight Moore, a retired Palm Springs, California, psychologist, began giving presentations on Oregon's "death with dignity" law in order to mobilize neighbors, patients, city council members and doctors here.

There's some concern over what the popular proposal would end up looking like and whether it would end up with the same protections that are currently in the bill as it stands. The California Attorney General's Office, however, says the proponents could, if they wanted to, simply submit the text of the bill that had failed to pass in the Legislature.

The California Secretary of State's Office has offered a suggested deadline of August 25. Circulation of a proposed initiative could begin in October, requiring 365,880 signatures to qualify for the ballot.

Charmaine Manansala, California political director for Compassion and Choices, said the advocates are still focused on the Legislature.

"Our plan is to get the bill out of the capital this year," she said, but declined to specify what options remain. "By no means did it die in the health committee."