

RESOLUTION NO. 2018-34

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA RECOGNIZING THE PRACTICE OF AID IN DYING AS A DESIRABLE MEDICAL CHOICE FOR MANY TERMINALLY ILL, MENTALLY COMPETENT ADULTS.

WHEREAS, all people are by nature free and independent and have inalienable rights; and

WHEREAS, Arizona's Medical Treatment Decision Act affirms the specific patient right to self-determined care at the end of life; and

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, 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, according to a 2018 Gallup Poll, "A broad majority of Americans, 72%, continue to believe that doctors should be legally allowed, at a patient's and a family's request, to end a terminally ill patient's life using painless means"; and

WHEREAS, seven states, plus Washington D.C., 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, twenty years of scholarly study on aid-in-dying practice in Oregon demonstrates the utility and safety of the practice in upholding a patient's right to self-determination; and

WHEREAS, the two decades of data following implementation of Oregon's law shows "no evidence of heightened risk for the elderly, women, the uninsured, people with low educational status, the poor, the physically disabled or chronically ill, minors, people with psychiatric illnesses including depression, or racial or ethnic minorities"; 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

WHEREAS, aid in dying has been successfully implemented in Oregon and Washington (state); and since implementation, the quality of end-of-life care, pain management, and the use of hospice have all greatly improved; and

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

American Medical Women's Association's official position that "supports the

legislation that empowers and protects terminally ill persons with decision-making capacity and physicians with regard to medical aid in dying. One such example is the Oregon Death with Dignity Act, passed in 1994."

American Public Health Association policy that "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."

WHEREAS, Arizona recognizes that "It 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 aiding another to commit suicide should not encompass the rational judgment of a psychologically healthy, terminally ill individual facing end-of-life suffering, who asks his or her physician for the means to die in a humane and dignified manner.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE COUNCIL OF THE CITY OF SEDONA, ARIZONA, as follows:

1. that Sedona respects the diversity of perspectives on end of life decisions; and
2. that Sedona supports equal protection within the diversity of perspectives on end of life decisions; and
3. that Sedona urges 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.

PASSED AND ADOPTED this 13th day of November, 2018 by the Mayor and Council of the City of Sedona, Arizona.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Robert L. Pickels, Jr., City Attorney