

## PROPOSAL B: PHYSICIAN ASSISTED SUICIDE

**Suicide contradicts the natural inclination of the human being to preserve and perpetuate his life. It is gravely contrary to the just love of self. It likewise offends love of neighbor because it unjustly breaks the ties of solidarity with family, nation, and other human societies to which we continue to have obligations.**

- Catechism of the Catholic Church  
Paragraph 2281

Ballot proposals are always important policy questions for the State of Michigan. Too often, however, they are overlooked by voters. Election results prove that voters vote for the offices at the top of the ticket but that issues appearing later on the ballot have far fewer people voting on them. It is important for voters to understand the significance of what ballot proposals would mean for the direction of this state and how important it is to vote on them.

The Michigan Constitution provides that the people can propose laws called initiatives, and have their fellow citizens vote on them. Initiatives cannot be vetoed by the governor and can only be amended by a subsequent vote of the people or by a three-fourths vote of all members elected and serving in the Michigan House of Representatives and Senate.

This November, Michigan voters will be asked to vote on Proposal B – to determine whether or

not physician-assisted suicide should be legalized in this state.

For more than eight years there has been a continuing debate about the legality and practice of assisted suicide in Michigan. As a result, Michigan has acquired the dubious distinction as a high-profile, publicity-driven laboratory for assisted suicide. At the federal level, the United States Supreme Court upheld laws banning assisted suicide in the states of Washington and New York and stated there is no constitutional right to assisted suicide. Michigan has a similar statutory ban. These laws seek to protect the vulnerable, prevent unscrupulous and unethical medical practices, guarantee the best possible care for all, and affirm the value of human life.

Proposal B would repeal Michigan's present law and the protections inherent in it.

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## What is Proposal B?

Proposal B will repeal Michigan's state law prohibiting physician-assisted suicide and replace it with a complex 12,000 word law legalizing physician-assisted suicide. Voters will view only a 100 word description of the proposal on the ballot, yet supporters of this proposal want voters to approve this without any debate or input from medical, legal or citizen groups.

### A Brief History

- The pro-assisted suicide group, Merian's Friends, led a petition drive for an initiated law to be placed on the November 3, 1998, ballot.
- Citizens for Compassionate Care was formed as a broad-based state-wide coalition to defeat the Merian's Friends proposal. Among the more than thirty organizations of Citizens for Compassionate Care are: Michigan Catholic Conference, Michigan State Medical Society, Michigan Disability Rights Coalition, Michigan Handicapper Caucus, Michigan Family Forum, Right to Life of Michigan, Concerned Women of America, Not Dead Yet, and Michigan Health and Hospital Association Council on Catholic Health Care.
- Citizens for Compassionate Care uncovered enough fraud in the petitions to challenge Proposal B from being placed on the ballot. The State Board of Canvassers ruled, however, that while most challenges were accurate the most damaging challenges were filed after a set deadline, and voted to place the initiated petition on the November ballot. The State Board of Canvassers then designated this as Proposal B and approved the language which will appear on the ballot.

Proposal B would allow physicians to prescribe a lethal dose of medication to terminally ill patients to allow them to commit suicide. The alleged "safeguards" in the proposal would require the primary physician and a consulting specialist to certify the terminal illness; would require a psychiatrist to certify that the patient is making a voluntary request; and would provide a seven-day waiting period between a first and second request. The physician would write the prescription on a special prescription form, a copy of which would be forwarded to the state health department.

Proposal B also establishes a new government "oversight committee" which would review a random sample of the prescription forms. The committee, appointed by

the governor, would be comprised of fourteen physicians and three members of the general public, none of whom could be opposed to physician-assisted suicide. The committee would work in secret as they would be exempt from the Open Meetings Act. All records of the committee, including medical records and minutes, would be exempt from the Freedom of Information Act.

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## The Flaws of Proposal B

Proposal B's complex 12,000 words are riddled with flaws including:

- It would lead to subtle coercion of the elderly, disabled and minorities.
- It interferes with the private doctor/patient/family relationship.
- It allows relatives of Michigan citizens to commit suicide in Michigan.
- It does not exclude mentally ill patients from committing suicide.
- It is fundamentally incompatible with the physician's role as healer.
- It does not require notification of loved ones.
- It would prohibit medical examiners from performing autopsies.
- It would require doctors to lie, as the terminal illness rather than the lethal overdose would have to be listed as the as the primary cause of death on the death certificate.
- It would allow persons to doctor-shop for a physician who will grant their lethal request.
- It defines "significant other" for the first time in Michigan law giving legal standing in court for a live-in partner of a terminally ill person if the two have had a "monogamous-type relationship" for at least one year.
- It penalizes doctors and institutions who object to assisted suicide on ethical grounds and forces them to comply.
- It creates a politically-appointed, tax-funded oversight committee which is closed to the public and comprised entirely of persons who support implementing assisted suicide.

Oregon voters approved a similar proposal in 1994 and again in 1997. The witness physician-assisted suicide in Oregon provides is revealing. Teen suicide has increased by sixteen percent. Pro-assisted suicide groups locate doctors for patients when a patient's primary physician has refused. Coverage for over 150 needed health services for chronically and terminally ill patients has been denied by the state while state funds pay for assisted suicide.

The magnitude of Proposal B compels the Catholic Church to state its position, and the reasons for it, forcefully and repeatedly. Few issues cut so close to the heart of Catholic theology, ethics and church life. As the bishops of Michigan wrote in their pastoral letter, *Living and Dying According to the Voice of Faith*:

Suicide – the conscious choice to destroy one's own life – is always morally wrong. Concurring with someone's intention to commit suicide and cooperating in the process can never be condoned. Such assisted suicide is a perversion of genuine mercy. It is especially tragic when undertaken by physicians whose very professional code charges them never to harm but always respect life.

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## The ballot wording for Proposal B reads:

PROPOSAL B

INITIATED LEGISLATION TO LEGALIZE THE PRESCRIPTION OF A LETHAL DOSE OF MEDICATION TO TERMINALLY ILL, COMPETENT, INFORMED ADULTS IN ORDER TO COMMIT SUICIDE

The proposal would:

- 1.) Allow a Michigan resident or certain out-of-state relative of Michigan residents confirmed by 1 psychiatrist to be mentally competent and 2 physicians to be terminally ill with 6 months or less to live to obtain a lethal dose of medication to end his/her life.
- 2.) Allow physicians, after following required procedures, to prescribe a lethal dose of medication to enable a terminally ill adult to end his/her life.
- 3.) Establish a gubernatorially appointed, publicly-funded oversight committee, exempt from Open Meetings Act and whose records, including confidential medical records, and minutes are exempt from Freedom of Information Act.
- 4.) Create penalties for violating this law.

Should this proposal be approved?  Yes  NO

A majority "yes" vote would make this proposal state law.

A majority "NO" vote would defeat this proposal.

Proposal B would be a dramatic shift in the public policy of this state. For Michigan's public policy has traditionally preserved, upheld and promoted the dignity of life in all its stages. Michigan was the first government in the English speaking world to outlaw the death penalty. Proposal B would establish the death penalty for terminally ill patients. Michigan residents must reject this proposal, as they have government sanctioned death for more than 160 years, and reach out to those in need. True compassion does not eliminate the sufferer but seeks to relieve suffering.

**Proposal B is bad for patients, bad for doctors, bad for families and bad for Michigan. Vote NO on Proposal B.**

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