

## **Oregon's Death with Dignity Act: Flimsy Reporting, No Regulation**

- Law requires doctors to report and document all lethal medication prescriptions but sets no penalties for M.D.'s who fail to report.<sup>1</sup>
- Law requires annual statistical reports from Department of Human Services (DHS), but DHS has no resources to detect underreporting, noncompliance, or violations.<sup>2</sup>
- Most information DHS reports comes from doctors who write lethal prescriptions. For first annual report, DHS gathered most information in 20-minute telephone interviews!<sup>3</sup>
- DHS continues to gather data through questionnaires and telephone interviews. It does not investigate<sup>4</sup>
- DHS does not interview doctors who refused to assist suicides to find out why.<sup>5</sup> Doctors who said "no" may have concluded patients did not meet legal requirements. Essential information if one truly intends to evaluate the law's outcomes.
- DHS does not regularly interview family members or friends to learn about physical and emotional status of those who died. Such information is necessary because law does not require autopsies to determine if deceased patients were actually terminally ill.
- DHS does not "interview or collect any information from patients prior to their death."<sup>6</sup>
- DHS reports fail to investigate cases of expansion and complications reported in media.
- DHS destroys the records after it issues each annual report.<sup>7</sup>
- DHS admits: "We cannot determine whether physician-assisted suicide is being practiced outside the framework of the Death with Dignity Act."<sup>8</sup>
- Editorial in *The Oregonian*: "State health officials believe Oregon's Death With Dignity Act does not give them the necessary authority to investigate individual assisted suicides. Nor can they take other steps to ensure the reporting data is accurate."<sup>9</sup>
- Editorial in *The Oregonian*: "a system that seems rigged to avoid finding" answers.<sup>10</sup>
- Why did the proponents promise to create a system that would bring physician-assisted suicide out into the open and regulate it, but instead fashioned one in which it is practiced in secret and without oversight?
- Bills in other states duplicate Oregon law's flimsy reporting and failure to regulate assisted suicide.

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1. Oregon Department of Human Services, *Seventh Annual Report on Oregon=s Death with Dignity Act* (Portland, March 10, 2005), 10-11, <http://egov.oregon.gov/DHS/ph/pas/docs/year7.pdf>.; David Reinhard, AThe house that (Dr.) Jack built,@ *The Oregonian* (May 2, 1999).
  2. Oregon Death With Dignity Act. *Oregon Revised Statutes* 127.800-127.890, 127.895, 127.897.
  3. Joseph P. Shapiro, ACasting a cold eye on >death with dignity=,@ *U.S. News & World Report* (March 1, 1999).
  4. Oregon Department of Human Services, *Seventh Annual Report*, 9-10.
  5. Letter from the Oregon Department of Human Services; Testimony of Dr. Katrina Hedberg, December 9, 2004, House of Lords, Select Committee on the Assisted Dying for the Terminally Ill Bill, Assisted Dying for the Terminally Ill Bill [HL], Volume II: Evidence, HL Paper 86-II, London: The Stationery Office Limited, 255, 257.
  6. Oregon Department of Human Services, *Seventh Annual Report*, 10.
  7. Testimony of Dr. Katrina Hedberg, 9 December 2004, House of Lords, Select Committee on the Assisted Dying for the Terminally Ill Bill, *Assisted Dying for the Terminally Ill Bill [HL], Volume II: Evidence*, (London: The Stationery Office Ltd., 2005), 262.
  8. A. E. Chin, et al., ALegalized Physician-Assisted Suicide in Oregon -- The First Year=s Experience,@ *The New England Journal of Medicine*, Volume 340, Number 7 (February 18, 1999): 577-83.
  9. Editorial: ALiving with the dying >experiment=,@ *The Oregonian* (March 8, 2005).
  10. Editorial: ALiving with the dying >experiment=,@ *The Oregonian* (March 8, 2005).

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