

JESSICA KAAN  
Portland  
LD 613

Testimony of Dr. Jessica Kaan, DO, MPH  
Practicing Physician in Medical Aid in Dying, Oregon  
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Dear Members of the Maine Legislature,

Thank you for the opportunity to speak with you today.

My name is Dr. Jessica Kaan, and I am an internal medicine physician with nearly a decade of experience providing compassionate end-of-life care, including medical aid in dying (MAID). I practice in Oregon, a state that has had a MAID law in place for over 25 years. Oregon's law, like Maine's, includes a mandatory waiting period. However, Oregon made a crucial and humane update in recent years: allowing qualified patients to be exempt from the waiting period if their death is imminent.

I have granted this exemption to many patients. I want to share what that experience has taught me.

Too often, people do not begin the MAID process until very late in their illness. Sometimes, this is because they didn't know it was an option. More often, they've struggled to find a provider who participates. By the time they reach my care, they are often in severe physical and emotional distress—exhausted from the burden of their illness, diminished by loss of function and dignity, and deeply afraid of lingering in suffering they can no longer bear.

For these patients, every day, even sometimes every hour can feel like an eternity.

When I grant an exemption to the waiting period, I do so because I have witnessed firsthand how unbearable these final days can be. I do not take these decisions lightly. I carefully assess that the patient meets all criteria: they are terminally ill, mentally capable, and making an informed, voluntary decision. The exemption does not bypass any of the safeguards—it simply spares patients from needless, prolonged suffering when time is of the essence.

In Oregon last year, nearly 30% of patients who accessed medical aid in dying qualified for and were granted this exemption. That statistic reflects how common it is for people to come to this process very late. The exemption has become an essential part of ensuring access to a peaceful and dignified death for those in their final hours or days.

Maine's current law does not allow this flexibility. Without it, patients who are already at the edge of life may be forced to wait in pain, or they may lose the capacity to participate before the waiting period ends. I urge you to consider the suffering this causes—not in theory, but in real, human terms. I have seen the difference it makes when we can act swiftly and compassionately.

Medical aid in dying is, at its core, about mercy. The exemption to the waiting period honors that principle. I respectfully urge you to support efforts to incorporate this provision into Maine's law so that patients in your state may receive the same compassionate care.

Thank you for your time and for considering the lived experiences of patients and providers.

Sincerely,  
Jessica Kaan, DO, MPH