



Care and Choice at the End of Life

Written Testimony in Support of LD 613
House Committee on Health and Human Services
April 10, 2025

My name is Melissa Stacy, and I am the Northeast Regional Advocacy Director for Compassion & Choices, the nation's oldest and largest consumer-based organization working to improve end-of-life care, expand options, and empower everyone to chart their end-of-life journey.

We advocate for legislation to improve the quality of care for terminally ill patients and affirm their right to determine their own medical treatment options as they near the end of life. I am writing today to express our support for LD 613, which modernizes the Maine Death With Dignity Act while keeping core safeguards in place.

Medical aid in dying is about patient directed care. Patients that request the medication are aware of the choice they are making, and are choosing this option to avoid the very last and very worst part of the dying process. In order to access medical aid in dying, terminally ill individuals must go through a multi-step request process which includes confirmation of eligibility and waiting period. Some patients may not survive the 17 days required by the Maine Death with Dignity Act. LD 613 would allow an attending provider to waive any portion or all of the mandatory minimum waiting periods if the patient is unlikely to survive it and meets all other qualifications. This ensures that the attending physician is able to act in the best interests of the patient. If the waiting period is waived, the attending physician must add a note to the medical chart.

It can take weeks to months for patients to get through the multi-step process, even without the waiting period. Rather than a safeguard, the lengthy waiting period required under the Maine Death with Dignity Act has proven to be a barrier for individuals seeking this option. Terminally ill patients don't have the luxury of time on their side.

In 2021, the New Mexico legislature passed its medical aid in dying bill, with a 48-hour waiting period and a physician waiver for patients who are likely not to survive even that period. In 2019, the Oregon legislature updated the DWDA and now allows a physician waiver. In 2020 (the first year of implementation), 20% of patients were given



Care and Choice at the End of Life

exemptions¹; in 2021, it was 21% of patients²; and in 2022, 25% of patients who received a prescription were granted a waiver of waiting periods³. This is an astounding demonstration of how many patients are dying with unnecessary suffering, deprived of a law that is supposed to bring compassion, as a result of this provision. We are asking Maine to join New Mexico, Washington, California, and Colorado in modifying the needless suffering period.

LD 613 would help achieve a better balance between safeguards and access, so fewer eligible patients unnecessarily suffer. With your support, these improvements will go a long way in improving access to the Maine Death with Dignity Act. Thank you for your consideration of this compassionate amendment.

¹ *Oregon Death with Dignity Act, 2020 Data Summary*, Oregon Health Authority, February 26, 2021. Available from:

<https://www.oregon.gov/oha/PH/PROVIDERPARTNERRESOURCES/EVALUATIONRESEARCH/DEATHWITHDIGNITYACT/Documents/year23.pdf>

² *Oregon Death with Dignity Act, 2021 Data Summary*, Oregon Health Authority, February 28, 2022. Available from:

<https://www.oregon.gov/oha/PH/PROVIDERPARTNERRESOURCES/EVALUATIONRESEARCH/DEATHWITHDIGNITYACT/Documents/year24.pdf>

³ *Oregon Death with Dignity Act, 2022 Data Summary*, Oregon Health Authority, March 8, 2023. Available From:

<https://www.oregon.gov/oha/PH/PROVIDERPARTNERRESOURCES/EVALUATIONRESEARCH/DEATHWITHDIGNITYACT/Documents/year25.pdf>