

House Concurrent Resolution No. 5010

By Committee on Health and Human Services

2-14

1 A CONCURRENT RESOLUTION opposing physician-assisted suicide.

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3 WHEREAS, Kansas has an unqualified interest in the preservation of
4 human life, and this state's prohibition on assisting suicide, like all
5 homicide laws, both reflects and advances its commitment to this; and

6 WHEREAS, Neither this state's constitution nor the United States'
7 Constitution contains a right to assisted suicide and, thus, no individual
8 has the right to authorize another to kill oneself in violation of federal and
9 state criminal laws; and

10 WHEREAS, Suicide is not a typical reaction to an acute problem or
11 life circumstance and many individuals who contemplate suicide,
12 including the terminally ill, suffer from treatable mental disorders, most
13 commonly clinical depression, that frequently goes undiagnosed and
14 untreated by physicians; and

15 WHEREAS, In Oregon, 46% of patients seeking assisted suicide
16 changed their minds when their physicians intervened and appropriately
17 addressed suicidal ideations by treating their pain, depression and other
18 medical problems, if any; and

19 WHEREAS, Palliative care continues to improve and is nearly always
20 successful in relieving pain and allowing a person to die naturally,
21 comfortably and in a dignified manner without a change in the law; and

22 WHEREAS, The experiences in Oregon and the Netherlands
23 explicitly demonstrate that palliative care options deteriorate with the
24 legalization of physician-assisted suicide; and

25 WHEREAS, Kansas rejects abuses of palliative care through "futility
26 care" protocols and the use of "terminal sedation" without life-sustaining
27 care; and

28 WHEREAS, A physician's recommendation for assisted suicide relies
29 on the physician's judgment – to include prejudices and negative
30 perceptions – that a patient's life is not worth living, ultimately
31 contributing to the use of "futility care" protocols and euthanasia; and

32 WHEREAS, Kansas rejects the "sliding-scale approach" which claims
33 certain "qualities of life" are not worthy of equal legal protections; and

34 WHEREAS, The legalization of assisted suicide sends a message that
35 suicide is a socially acceptable response to aging, terminal illnesses,
36 disabilities and depression and subsequently imposes a "duty to die"; and

1 WHEREAS, The medical profession as a whole opposes physician-
2 assisted suicide because it is contrary to the medical profession's role as
3 healer and undermines the physician-patient relationship; and

4 WHEREAS, Assisted suicide is significantly less expensive than other
5 care options, and Oregon's experience demonstrates that cost constraints
6 can create financial incentives to limit care and offer assisted suicide; and

7 WHEREAS, As evidenced in Oregon, the private nature of end-of-life
8 decisions makes it virtually impossible to police a physician's behavior to
9 prevent abuses, making any number of safeguards insufficient; and

10 WHEREAS, A prohibition on assisted suicide, specifically physician-
11 assisted suicide, is the only way to protect vulnerable citizens from
12 coerced suicide and euthanasia: Now, therefore,

13 *Be it resolved by the House of Representatives of the State of Kansas,*
14 *the Senate concurring therein:* That the legislature strongly opposes and
15 condemns physician-assisted suicide because the legislature has an
16 unqualified interest in the preservation of human life; and

17 *Be it further resolved:* That the legislature strongly opposes and
18 condemns physician-assisted suicide because anything less than a
19 prohibition leads to foreseeable abuses and eventually to euthanasia by
20 devaluing human life, particularly the lives of the terminally ill, elderly,
21 disabled and depressed whose lives are of no less value or quality than
22 any other citizen of this state; and

23 *Be it further resolved:* That the legislature strongly opposes and
24 condemns physician-assisted suicide even for terminally ill, mentally
25 competent adults because assisted suicide eviscerates efforts to prevent
26 the self-destructive act of suicide and hinders progress in effective
27 physician interventions, including diagnosing and treating depression,
28 managing pain and providing palliative and hospice care; and

29 *Be it further resolved:* That the legislature strongly opposes and
30 condemns physician-assisted suicide because assisted suicide undermines
31 the integrity and ethics of the medical profession, subverts a physician's
32 role as healer and compromises the physician-patient relationship; and

33 Be it further resolved: That the Secretary of State transmit a copy of
34 this resolution to the Governor of the State of Kansas, the Kansas
35 Secretary of Health and Environment and the Kansas Medical Society.