

SB 210: Prohibiting Consent as a Defense for Physician-Assisted Suicide BAD POLICY FOR MONTANA

In 2009, the Montana Supreme Court ruled on behalf of a terminally ill truck driver from Billings, Bob Baxter ([Baxter v. Montana](#)), that the practice of medical aid in dying was not against public policy and it affords terminally ill Montanans the right to die on their own terms.

Since then, opponents have tried to deny Montana citizens this freedom. *Every single effort* in prior legislative sessions to take end-of-life liberty away and criminalize physicians *has failed* because nearly 7 out of 10 (69%) of voters in North Central states (MT, CO, ID, NE, ND, OR, SD, WY, KS, MN, IA, MO) support allowing a mentally capable adult who is dying of a terminal disease and in extreme pain to choose to end his or her life in a humane and dignified way.

SB 210 would take away their option to live out their final days and weeks as they see fit.

- SB 210 would criminalize the established practice of medical aid in dying in Montana.
- SB 210 would leave physicians subject to potential homicide charges. Physicians would face long prison sentences, if convicted, simply for providing the end-of-life care their terminally ill patients want and need.
- SB 210 would have a chilling effect on important end-of-life conversations between doctors and patients as well as palliative care.

We recognize that medical aid in dying can seem like a complex issue. But, we have 25 years of experience since the law was enacted in Oregon, the first authorized jurisdiction, and 14 years since it was authorized in Montana. This compassionate option has proven to protect patients and improve care across the end-of-life spectrum. There has not been a single documented instance of coercion or abuse. The practice is time tested and proven effective with established guidelines that meet the highest standard of care.

Research shows medical aid in dying improves end-of-life care for everyone.

Authorization of the practice has resulted in:

- Increased hospice use
- More open conversations between patients, families and physicians about the end-of-life and

- Better physician palliative care training

Just having the option relieves fear and anxiety — *even for those who never choose to use it*. Medical aid in dying does not cause more people to die, but allows fewer people to suffer.

Terminally ill Montanans shouldn't have to suffer needlessly at the end of life and doctors shouldn't have to worry about criminal charges for simply providing care to dying patients.

Additional Information About the Bill:

Legislation

[SB 210](#)

Compassion & Choices Website:

<https://compassionandchoices.org/in-your-state/montana/>

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