

MEDICAL SOCIETY OF THE STATE OF NEW YORK
House of Delegates

Resolution 171

Introduced by: Ronald B Menzin, MD

Subject: Support for the Medical Aid in Dying Legislation [A.995-A / S. 2445-A] and
Revision of the MSSNY Policy Position 95.989

Referred to: Reference Committee on Public Health and Education

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2 Whereas, public attitudes¹ to assisted dying are changing and it will be doctors that are
3 prescribing and/or administering life-ending medications; and doctors' views² on assisted dying
4 are also changing, partly by responding to the wishes and hopes of their patients and
5
6 Whereas, other countries³ and states have enacted legislation to meet the wishes and needs of
7 residents in Canada, the Netherlands, Switzerland, Belgium, and some US states, including for
8 example New Jersey, by supporting voluntary assisted aid-in dying regulated and safeguarded
9 practices that enable choices / options for their care during the end-stages of their lives; and
10
11 Whereas, the primacy of a personalized patient-doctor relationship is a key to ethical
12 healthcare, and its fostering of patient-centric care, along with our Constitution's first
13 amendment prohibition against government endorsement of a particular religion's codes/tenets -
14 thereby allowing each of us equal and unfettered personal interpretations regarding this
15 particular life-cycle event, and
16
17 Whereas, the NYS Assembly and Senate have before them legislation (A995a/S.2445a),
18 sponsored by Assemblywoman Amy Paulin and Senator Brad Holman-Sigal; ⁴and with
19 consideration of the attachments included in this submission, along with the endorsements of
20 like-minded organizations⁵, therefore be it
21
22 RESOLVED, that the MSSNY will amend its position against medical aid in dying to allow
23 physicians and their patients to benefit from the choices and regulations approved by such
24 governing bodies as have legal and oversight responsibilities for these medical situations; and
25 be it further
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27 RESOLVED, that along with numerous other civic minded organizations, the MSSNY supports
28 thoughtful consideration and ultimately the approval, of proposed legislation (A995a/S.2445a)
29 and be it further
30
31 RESOLVED, that individual physicians will always retain their choice to opt-in or decline to
32 engagement in the processes and procedures outlined in the Medical Aid in Dying

¹ Polling. Voters support this option.

² Polling. Doctors support this option.

³ How Do Doctors Feel About Assisted Dying

⁴ Crains article discussing Paulin/Holman-Sigal rationale for this legislation.

⁵ NYCLU & New York State Bar Association

33 Legislation.

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35 **References:**

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37 **Existing MSSNY Policy:**

38 95.989 Physician-Assisted Suicide and Euthanasia

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40 **145.992 Expanding Protections of End-Of-Life Care**

41 The Medical Society of the State of New York:

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43 (1) recognizes that healthcare, including end of life care like hospice, is a human right.

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45 (2) supports the education of medical students, residents and physicians about the need
46 for physicians who provide end of life healthcare services.

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48 (3) supports the medical and public health importance of access to safe end of life
49 healthcare services and the medical, ethical, legal and psychological principles
50 associated with end-of-life care.

51

52 (4) supports education of physicians and lay people about the importance of offering
53 medications to treat distressing symptoms associated with end of life including dyspnea,
54 air hunger, and pain.

55

56 (5) will work with interested state medical societies and medical specialty societies to
57 vigorously advocate for broad, equitable access to end-of-life care.

58 (6) supports shared decision-making between patients and their physicians regarding
59 end-of-life healthcare.

60

61 (7) opposes limitations on access to evidence-based end of life care services.

62

63 (8) opposes the imposition of criminal and civil penalties or other retaliatory efforts
64 against physicians for receiving, assisting in, referring patients to, or providing end of life
65 healthcare services.

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67 A copy of this resolution will be forwarded to the AMA. (HOD 2023-166)

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69 **145.993 MSSNY Task Force on End of Life Care-Final Report**

70 The final report of the MSSNY End of Life Task Force provides a review and recommendations
71 of issues regarding end of life care. The report includes the following recommendations:

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73 MSSNY will request the New York State Department of Health convene a group of stakeholders
74 which will standardize community hospice programs around the state as well as the distribution
75 of those programs.

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77 MSSNY will work with the New York State Department of Health to develop culturally competent
78 hospice guidelines.

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80 MSSNY supports the development of a state central depository for eMOLST.

81 MSSNY will urge the New York State Legislature to create adequate reimbursement for end of
82 life services.

83

84 MSSNY will request the NYS Department of Health and the AMA to develop
85 educational resources for physicians, allied health professionals and patients on end of life care.

86

87 MSSNY will urge the AMA to work with all stakeholders to develop proper quality metrics to
88 evaluate and improve palliative and hospice care.

89

90 MSSNY will request the NYS Department of Health to simplify the hospice re-
91 certification process in the state.

92

93 MSSNY will offer end of life educational programming through live seminars, webinars
94 and online. (HOD 2020-PHE reference committee report)