



compassion & choices  
of Washington

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**Use of Washington Death With Dignity Act is “Safe, Legal, and Rare”:  
28 Terminally-Ill Washingtonians Received Medications;  
One-third Didn’t Take Medication, but Benefited from Act;  
Law Used in .07% (less than one-tenth of 1% of estimated deaths);  
None of Opponents’ Predicted Effects Proven True**

SEATTLE, WA – Compassion & Choices of Washington (C&C), a nonprofit organization advocating for better end-of-life care, patient-centered care, and expanded choice at the end of life, today reported that 28 terminally ill Washingtonians have received medications under the Death With Dignity Act (DWDA) in its first six months. One-third of those patients have received, but not yet used, their medication. The Washington Department of Health (DOH) reports that sixteen terminally ill Washingtonians who received life-ending medications under the Act have died.

The DWDA requires that physicians file an After Death Reporting Form each they write a prescription for life-ending medication, whether the patient elected to take the medication or not. But until it publishes its 2009 annual report on the DWDA, the DOH will not differentiate between those who did or did not take the life-ending medication until. So at this time, there is no way to know exactly how many of the 16 elected to take life-ending medication or not. Because most of the 16 cited by the DOH were C&C clients, C&C can confirm that some of them died without taking the medication.

Additionally, because of the 30-day reporting requirement associated with the After Death Reporting form, the DOH number does not reflect the actual number of deaths under the DWDA. C&C reports that fourteen of its clients have died using DWD medication. Four died naturally after going through the DWD process and obtaining medications. Our data indicates that approximately 1/3 of those who received the medication died without taking it. Ten C&C clients currently have DWD medication and are waiting to see if they ever feel the need to take it. There have been no complications with any of C&C’s clients who used the DWDA, and all received hospice care.

### **Who has used the law in its first six months?**

On May 21, Linda Fleming, age 66, of Sequim, became the first terminally ill Washingtonian to die using the state's DWDA. Linda was diagnosed with stage 4 pancreatic cancer, and was told she was actively dying. "The pain became unbearable, and it was only going to get worse," said Linda, explaining her decision to use the DWDA. "I am grateful that the Death With Dignity law provides me the choice of a death that fits my own personal beliefs."

Linda's daughter, Lisa Osborne, appeared at today's Seattle news conference, along with Linda's pet Chihuahua, Seri. "My mother passed away, simply, quietly, and at peace. Her passing was played out in the same way that the rest of her life had been: on her terms, in her way and through her own choices," said Lisa. "The final days we spent together are some of the most important of my life and I will always be grateful that we could share her last hours."

"My mother was a fighter. She didn't make decisions without sincere, purposeful deliberation. She died as she had lived, supporting her beliefs. My mother was not feeble-minded. She was not duped, or deceived, or coerced. She supported physician-assisted dying when the Death With Dignity initiative first appeared on the ballot, and gathered signatures for the campaign. My mother was not afraid she would be unable to afford end-of-life-care or adequate pain control. She received hospice care, and she worked closely with physicians, striving to find medications that managed her pain without making her so sick she was unable to function. She was surrounded by competent support," said Lisa. "My mother did not commit suicide. Suicide is an expression of despair and disconnection. She didn't want to die. She wished to live. By choosing her time of death, she chose to live in the present and savor the time she had left. She chose to deny a future she was already previewing: unimaginable pain, loss of mobility, and mind-numbing pain medications. She chose to die in her own time, in her own home, and in the manner of her choosing. Finally, the last thing my mother *was not* is probably the most important of them all—she was not alone."

### **DWDA Benefits Patients who don't take Medication**

Ann Watkins, 68, of Tacoma, is terminally ill with cancer in her lungs, brain, and bones. "It's now clear that my life is coming to an end," Ann told a Seattle news conference. "My cancer specialist estimated earlier this month that I had between two and six months to live. So, I've accepted that the end of my life is near. You see, I don't know exactly when, or how I will die, nor how much pain I'll experience. But I do know that having a prescription that I could use to help escape the pain at the very end of my life would give me peace of mind. Through my battle with cancer, I've learned that half the battle is knowing. My cancer specialist has agreed that he will work with me under the Act. I have completed all of the required requests, received my prescription and I have it in case I need it. I don't know if I will need to take the medication. I hope that I don't need it, that the pain won't be unbearable as I approach end. But if I do need it, I have that

*Compassion & Choices of Washington news release, Six Month Summary of Death with Dignity Act Use, 9.08.2009, page 3*  
choice. That has given me immense comfort and peace of mind, knowing that I won't have to suffer beyond what I can tolerate."

**Law is used infrequently and appropriately - use similar to Oregon:**

Based on Washington mortality in 2008, deaths under the law represent just .07% - less than 1/10<sup>th</sup> of one percent. "The use of the Death With Dignity Act (DWDA) has been safe, legal, and rare. The tiny proportion of Washington deaths is in line with what we expected based on Oregon's experience, and belies opponents' predictions of widespread use or abuse. Terminal patients are deriving comfort and peace of mind from prescriptions issued under the new law. The law is working as voters and its sponsors intended," said Dr. Tom Preston, MD, a cardiologist and C&C's medical director. "When a cure is no longer possible, the DWDA adds another option for terminally-ill patients. The DWDA provides an option that provides comfort and peace of mind. The prescribed medication gives patients peace of mind. The prescribed medication allows patients to take control of their dying if suffering becomes intolerable, improving their quality of life at the end of life. C&C provides a knowledgeable person or medical professional to be present at the death of our clients using the law.



In the first year of Oregon's Death With Dignity Act, twenty-four terminally ill adults received the prescription for life-ending medications, and 16 took it. Oregon's population is about 3.7 million, whereas Washington's is 6.2 million. One would expect at least 40% more deaths (20) in Washington than Oregon experienced during the first twelve months of the law. Use of the law in Washington is on pace to resemble the rare use of the Oregon law. In 2008, 31,000 Oregonians died; 88 prescriptions were written under the Death With Dignity Act. Of these, 54 patients took the medications, 22 died of their underlying disease, and 12 were alive at the end of 2008. In addition, six patients with earlier prescriptions died from taking the medications, resulting in a total of 60 DWDA deaths during 2008, or .0019 (.19%) of the total Oregon deaths in 2008. Since the DWDA's inception in 1998, 362,000 Oregonians have died; 401, or about 1/10<sup>th</sup> of one percent, used the DWDA.

C&C provides expert consultation, concrete information, forms for use with the law, and support for families, terminally ill patients, and individuals facing the end of life, as well as support and information for participating physicians. C&C of Washington has matched over 200 patients with client support volunteers in the past twelve months. None of C&C's clients has died alone, and all have died at home. All received hospice care. C&C

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has provided more than 2,000 information packets, including Washington Advance Directives and Death With Dignity Act forms. C&C's web site received more than 1,000,000 visits during that time. Call C&C at 877-222-2816. All services are free of charge, and confidentiality is strictly respected.

*[Compassion & Choices of Washington](#) advocates for excellent end-of-life care, patient-centered care, and choice at the end of life. We steward, protect, and uphold Washington's Death With Dignity Act.  
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