

Compassion & Choices of Indiana

Legislative Dialogue Committee

Report of Activities During October-December 2015 and Plan of Action for 2016

“Fight for the things you care about. But do it in a way that will lead others to join you.”

Supreme Court Justice Ruth Bader Ginsburg

Compassion & Choices of Indiana traces its beginning to November 1989. The Legislative Dialogue Committee was formed in early fall 2015 to promote legislation that will allow physician-assisted aid in dying. Aid in dying is not a Republican or Democrat issue. Death will come to all of us, and for some, that will be an agonizing death. Since we don't know what kind of death awaits us, all should have the option of ending their lives with dignity and with the assistance of qualified medical personnel.

During the last quarter of the year, we established a set of goals for the committee that will move Indiana toward a legal option for the terminally ill to end their lives painlessly.

- Identify and work with Indiana legislators who are willing to sponsor aid-in-dying legislation in the 2017 legislative session (a long session).
- In 2016, attend as many open meetings as possible with candidates for the General Assembly to put the issue of physician-assisted aid in dying before them in public forums.
- Write letters to candidates for the legislature and to editors of the main Indiana newspapers to present the Compassion & Choices viewpoint on aid in dying.
- Identify groups of people who might be supportive (especially medical personnel) and develop means of communicating with them.
- Make presentations on end-of-life choices to groups most likely to include supporters.
- Recruit people in cities and towns in every geographic area of Indiana to serve on this committee.
- Provide documents that can be used in promoting the cause of aid in dying in Indiana.

Identify Potential Sponsors of Legislation

Seven members of the committee met with former State Representative and IU School of Law faculty member David Orentlicher in Indianapolis on November 8. He was very helpful in identifying current members of the Indiana General Assembly who might be sympathetic. He also advised us to personalize the issue for legislators and to personalize the contacts by engaging family members or close friends of the legislators if possible. We have made contact with State Representative Matt Pierce (D, Bloomington), who has stated that he would be interested in submitting the legislation at the appropriate time. Personal visits with other legislators and/or their staff, as well as contact with people in the governor's office have also been suggested. A good "Lobbying Toolkit" is available from the national Compassion & Choices office.

It would help to know some things about how the Indiana POST (Physician's Orders for Scope of Treatment) law came about in 2013, such as who sponsored it, what committee it landed in, and who

voted for and against it.

Attend Open Meetings with Candidates for the Legislature and Address Questions to Them

We should stress the groundswell of support for aid-in-dying that has grown at both the individual and state levels in the USA. Committee members contributed comments and questions to use in these settings, among them:

- In 1948, 38% of Americans supported a physician being able to “end a terminally ill patient’s life by painless means.” The number is now 70%, according to a 2015 Gallop poll.
 - Why should an Indiana legislator resist allowing a terminally ill person the freedom of choice at the end of life?
 - Why would you restrict the choices of a terminally ill person at the time when the most important and difficult decisions of a person's life are being made?
 - The "opinion" response cards from state senators and representatives never include a question about physician-assisted aid in dying or end-of-life-choices in them. Why?
 - If your spouse was in the final stage of a terminal illness and experiencing unrelieved excruciating pain and begging for relief, would you deny her (him) the right to access aid-in-dying as a means to a humane, peaceful, dignified death?
- Aid in dying is now legal in Washington, Oregon, California, Montana, and Vermont.

In addition, there is Governor Jerry Brown’s response in October 2015 when asked why he chose to sign California’s new aid-in-dying law: “In the end, I was left to reflect on what I would want in the face of my own death.”

Write Letters to Candidates for the Legislature and to Editors of Newspapers

State Representative Matt Pierce suggests that the best way to get a written message to legislators is via e-mail. This is an election year, so all of the representatives are up for re-election, as are half of the senators. We should contact only our own representative and senator. It is unproductive to write those legislators who do not serve your district. Legislators want to know what their own constituents think. Follow carefully a newspaper’s guidelines for “letters to the editor” when you write letters to the editor.

Identify Potential Supporters Who Are Not Legislators

Dr. Larry Cripe of the IU School of Medicine is working to identify which medical associations in Indiana might be amenable to surveying their members’ attitudes toward physician-assisted aid in dying. The more liberal religious denominations, such as Unitarian Universalists and Reform Jews, should include many people who will be sympathetic to our cause.

Key individuals who were identified as high-profile people to contact for support are Dr. Alexia Torke, Ann DeLaney (lawyer and panelist on the political roundtable TV show, Indiana Week in Review and wife of Representative Ed DeLaney), and former Indiana Governor Joe Kernan. Palliative care and hospice nurses will probably be the biggest supporters among nurses. It would be good to have ministers on

board as well. Former Methodist minister Richard Hamilton is former Congressman Lee Hamilton's brother.

The CCIND-L e-mail distribution list can handle much larger numbers of people than the current 750+ who are currently on the list. It is an easy way to get an e-mail message out to a large number of people very quickly. We need to identify many other Hoosiers to add to the list. Bloomington State Representative Matt Pierce also recommended the use of social media to network out on any issue that a group is promoting.

Presentations to Various Groups

A presentation made at Meadowood Retirement Community in Bloomington on December 16 resulted in 2 new members joining the committee. Another presentation is scheduled for April 7 in South Bend for the Humanist Forum. Five committee members have volunteered to speak to groups on the issue of aid in dying. Retirement homes or communities seem to be a natural place to find supporters when talks are given there. The activity directors at such facilities should be contacted. Outlines and handouts are available.

We should stress that we are really talking about the quality of life (or the lack thereof) when one reaches the end with excruciating pain and suffering. This is a personal choice, having to do with the quality of life.

Recruitment of Additional People to Serve on This Committee

By January 2016, we had 18 committee members in 12 different cities and towns in Indiana. Many more cities and towns need to be represented. For the 750+ people who are on the CCIND-L mailing list, we have their home and e-mail addresses. Volunteers are needed to send personal invitations to those who live in places not already represented on the committee. By way of an introduction to our activities, a copy of this report could be included in the invitation to serve.

Documents for Use in Promoting Aid in Dying Legislation

We obtained permission from Carrol Krause (a Bloomington resident who is dying of incurable cancer) and the editor of the Bloomington *Herald-Times* newspaper to use the letter that Carrol published in the H-T on November 3 in any way that will help our cause. Carrol's letter was distributed to over 750 subscribers to CCIND-L (the e-mail distribution list that is sent to supporters in Indiana).

We have put up a web page that provides easy access to this document and others. See: <http://hoosierpewter.com/ccind/> The following Compassion & Choices documents are included:

- Aid in Dying: Primer for Candidates
- Guide to Drafting Aid-In-Dying Legislation
- Lobbying Toolkit
- Letter Writing Toolkit

In addition, the site contains some locally-produced documents and other links:

- A list of all state representatives and senators showing who on our committee is served by them.
- The text of Carrol Krause's "The Most Difficult Question".
- The "Find Your Legislator" page on the Indiana General Assembly web site
- Copy of Dr. Jody Madeira's lecture notes on the workings of the Indiana General Assembly (if she gives her permission)
- Copy of Gary Wiggins's presentation notes from the 12/16/15 Meadowood talk
- Synopsis of the Compassion & Choices sample legislation
- Link to the Indiana Advance Directives page.

Summary

The Compassion & Choices Legislative Dialogue Committee is poised to make a major impact on the climate in Indiana for support of physician-assisted aid in dying. That will happen only if all of us on the committee pitch in to help. Choose the activities you are most comfortable with and do something each week in 2016. I am very grateful for the progress we have made in just 3 short months, but we have a long row to hoe in a long-neglected garden. With the right fertilizer and herbicides and some tender loving care, we can expect to see our efforts provide a bountiful harvest by next Thanksgiving. Let's give it our best shot in 2016!

Gary Wiggins, Chair
Compassion & Choices Legislative Dialogue Committee
812-332-6861
wiggins@indiana.edu
1/8/2016