



Press Release

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Senate Bill 167 Protects Patients at the End of Life

ACLU of Montana Urges Senators to Approve Blewett's Physician-Aid-in-Dying Bill

HELENA, MT — The ACLU of Montana today urged members of the Montana Senate Judiciary Committee and members of the full Senate to approve a bill that will enable terminally ill patients to make private medical decisions with their doctors about the end of life.

Senate Bill 167, introduced by Great Falls Sen. Anders Blewett, establishes a legal framework for physician aid in dying for terminally ill and mentally competent patients that gives them the ability to choose their own treatment and care options and safeguards against potential abuses.

"Simply knowing that they can exercise this option if their pain becomes too unbearable will give terminally ill patients peace of mind at the end of their lives," said Niki Zupanic, Public Policy Director for the ACLU of Montana. "At the same time, this bill also gives patients the safeguards they need to know that this option can and will only be exercised if they choose it."

SB 167 requires that any patient requesting physician aid in dying must:

- Be an adult Montana resident;
- Be terminally ill;
- Be mentally competent;
- Be informed of all treatment options, and,
- Voluntarily self-administer the medication.

In December 2009, the Montana Supreme Court ruled in *Baxter v. State of Montana* that under state statute patients may consent to their own deaths and physicians who help them are protected under state law. In a special concurring opinion, Justice James Nelson wrote that aid in dying is constitutionally protected.

The plaintiff in the case, Billings truck driver Robert Baxter, sought relief from his suffering from leukemia. He died in December 2008 on the same day the lower court ruled in his favor.

"Senate Bill 167 comes too late for Bob Baxter, but it has the potential to help many terminally ill Montanans die in the manner of their own choosing in the years to come," said Scott Crichton, Executive Director of the ACLU of Montana.

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