

Leading the End-of-Life Choice Movement for Thirty Years.

compassion & choices

Support. Educate. Advocate. Choice & Care at the End of Life.

The End-of-Life Choice Movement

The chronology of the end-of-life choice movement in the United States can be traced back as far as the early 1900s. The movement made major strides throughout the 1990s, which ultimately led to significant changes at the bedside, in the courtroom, and in state and federal government. A diverse group of people, some acting together, and many working individually, wrote books, gave speeches, advocated for new laws, and assisted friends and family members in finding their way through wrenching end-of-life decisions.

Milestones in the Modern End-of-Life Choice Movement

1967

A right-to-die bill is introduced in the Florida legislature. It arouses extensive debate but is unsuccessful.

1980

The Hemlock Society, an end-of-life care organization for those suffering with incurable illnesses, is formed. It later evolves into End-of-Life Choices (EOLC). Subsequently, in 2005 EOLC merges with Compassion in Dying to form Compassion & Choices.

1987

Oregon Senator Frank Roberts sponsors legislation championing choice at the end of life.

1990

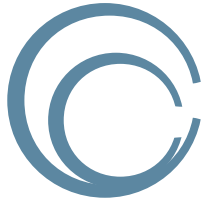
The U.S. Supreme Court decides the *Cruzan vs. Director, Missouri Department of Health*, ruling that Missouri was permitted to require clear and convincing evidence of the wishes of a patient regarding provision of artificial nutrition and hydration. This affirmed the right of Americans to refuse unwanted medical treatment, and their right to appoint a health care proxy to speak for them when they could not.

1991

Ballot measure I-119 to allow mentally competent, terminally ill patients physician assistance in dying is voted on in Washington State. Initiative 119 fails by narrow margin. Derek Humphry, founder of the Hemlock Society, publishes the first edition of *Final Exit: The Practicalities of Self-Deliverance for the Terminally Ill*.

1992

The California Death with Dignity Act, Proposition 161 on the state ballot, narrowly fails.



Leading the End-of-Life Choice Movement for Thirty Years.

compassion & choices

Support. Educate. Advocate. Choice & Care at the End of Life.

1993

Compassion in Dying is founded to provide support and advocacy programs for the individuals in Washington State.

1994

Compassion in Dying develops and files 2 federal lawsuits, asserting that a mentally competent, terminally ill patient has a right protected by the U.S. Constitution's guarantees of liberty, privacy and equal protection to choose aid in dying. The first case is filed in Washington State and is known as *Glucksberg v. Washington*. The second case is filed in New York and is known as *Quill v. NY*. The Federal District Court for the Western District of Washington holds for the plaintiffs. The State of Washington Appeals to the Ninth Circuit Court of appeals. The plaintiffs in both suits are represented by attorney Kathryn Tucker, who later becomes Legal Director for Compassion in Dying and subsequently Compassion & Choices. [Read more about our legal advocacy here.](#)

Oregon voters approve Measure 16, the Oregon Death with Dignity Act, a ballot initiative that permits terminally ill patients, under proper safeguards, to obtain a physician's prescription to end life in a humane and dignified manner. The law passes with 51 percent of the vote. Co-author and chief petitioner is Barbara Coombs Lee, President of Compassion in Dying and subsequently Compassion & Choices.

1996

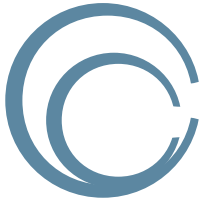
The Ninth Circuit Court of Appeals (in *Glucksberg v. Washington*) and the Second Circuit Court of Appeals (in *Quill v. NY*) both find that the U.S. Constitution protects the choice of a competent, terminally ill patient to choose aid in dying. The states of NY and WA file for review in the U.S. Supreme Court.

1997

The Compassion In Dying Federation is formed by Compassion In Dying of Washington, expanding to launch national advocacy and support programs.

Oregon's law is challenged by the National Right-to-Life Committee. The challenge was held up in the courts until it was dismissed by the Ninth Circuit Court in 1997. That year, the Oregon legislature put a measure on the ballot to rescind the law, but it was defeated by 60 percent of the voters.

In *Glucksberg v. Washington* and *Vacco v. Quill*, the U.S. Supreme Court declines to find federal constitutional protection for aid in dying, leaving the possibility open that it will do so in the future, and refers the issue to the states. The Court recognizes a federal constitutional right for dying patients to receive as much pain medication as necessary to obtain relief, even if this advances time of death. [Read more about our legal advocacy here.](#)



Leading the End-of-Life Choice Movement for Thirty Years.

compassion & choices

Support. Educate. Advocate. Choice & Care at the End of Life.

The Hemlock Society establishes the Caring Friends program to provide information and support to its members.

Rep. Henry Hyde and Sen. Don Nickles introduce The Lethal Drug Abuse Prevention Act to prohibit legal aid in dying.

States consider enacting Death with Dignity laws, including HI, VT, CA. Strong well funded opposition from Catholic Church, right-to-life advocacy groups and disability advocacy groups successful in defeating measures despite strong public support.

Oregon Death with Dignity Act begins implementation.

Compassion In Dying's client "Helen" becomes the first person to take lethal medication under Oregon's law.

1999

The U.S. House of Representatives passes the Pain Relief Promotion Act (PRPA). The bill would have criminalized aid in dying and nullified the Oregon law.

2000

Oregon Sen. Ron Wyden's threatened filibuster keeps the PRPA from reaching the Senate floor.

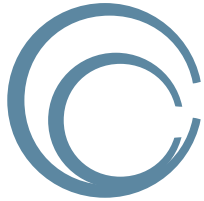
2001

Attorney General John Ashcroft issues a directive that would effectively nullify the Oregon Death with Dignity Act. The State of Oregon sues to enjoin the Directive, joined by a group of terminally ill Oregonians and represented by Compassion & Choices Legal Director Kathryn Tucker. Federal District Court Judge Robert E. Jones enjoins the Ashcroft directive.

Compassion in Dying Legal Director, Kathryn Tucker, represents Bergman family of California in bringing first case in nation to claim that failure to treat pain adequately constitutes elder abuse, winning \$1.5M verdict for patient's pain and suffering; Case establishes that failure to treat pain adequately can result in significant financial risk to health care providers. Compassion in Dying drafts and sponsors legislation passed in California (AB 487), requiring that physicians receive continuing education in pain management. [Learn more about our legal advocacy here.](#)

2002

October 6 marks the fifth anniversary of Oregon's Death with Dignity law; 129 terminally ill Oregonians have used it to die peacefully.



Leading the End-of-Life Choice Movement for Thirty Years.

compassion & choices

Support. Educate. Advocate. Choice & Care at the End of Life.

Attorneys present oral arguments for *Oregon v. Ashcroft* arguing states rights. Months later, Judge Jones rules against Ashcroft and rebukes the federal government for its attempt to "stifle an ongoing, earnest and profound debate in the various states concerning physician-assisted suicide."

2003

The Hemlock Society evolves to become End-of-Life Choices.

2004

The Department of Justice appeals *Oregon v. Ashcroft* to the United States Ninth Circuit Court of Appeals. The Ninth Circuit Court affirms the lower court, leaving the Oregon Death with Dignity Act intact. As Attorney General John Ashcroft resigns, he files an appeal to the US Supreme Court to review the Ninth Circuit's affirmation of lower court injunction of the Ashcroft directive. Now known as *Gonzales v. Oregon*, the case asks the high court to consider whether the federal Controlled Substances Act authorizes the Department of Justice to displace state regulators and determine legitimate use of medications. Traditionally, this prerogative has been reserved for the states. [Read more about our legal advocacy here.](#)

2005

Compassion in Dying and End-of-Life Choices unify to become Compassion & Choices. The new organization maintains headquarters in both Denver and Portland, and is the largest organization in the United States advocating for patients' rights at the end of life.

2006

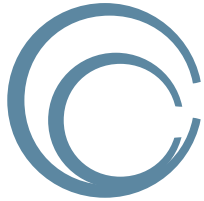
American Medical Women's Association (AMWA) adopts policy in support of Aid in Dying.

Compassion & Choices' Spokespeople, Steve Mason and Tom McDonald, give testimony in California State Assembly in support of California initiative AB 374, the California Compassionate Choices Act, which later fails by narrow margin. [Read more about the Terminal Patients' Right to Know End-of-Life Options Act here.](#)

2007

American Public Health Association (APHA) adopts policy, "Supporting Appropriate Language Used to Discuss End-of-Life Choices".

In October, Compassion & Choices' Legal Director Kathryn Tucker and Missoula litigator Mark S. Connell file *Baxter v. Montana* suit on behalf of Bob Baxter, Montana physicians and Compassion & Choices, asserting that the Montana State Constitution protects a peaceful death with dignity. [Read more about *Baxter v. Montana* here.](#)



Leading the End-of-Life Choice Movement for Thirty Years.

compassion & choices

Support. Educate. Advocate. Choice & Care at the End of Life.

The Washington State Psychological Association (WPSA) approves policy regarding value neutral terminology regarding end of life choices.

2008

American Medical Students' Association adopts policy reiterating and broadening support of Aid in Dying.

10 years of data from Oregon begins to inform discussion about impact of legal aid-in-dying option.

Washington Initiative 1000, modeled after Oregon's Death with Dignity Act, qualifies for November 2008 ballot.

[Read more about Washington Death Act with Dignity here.](#)

A bill developed by Compassion & Choices designed to ensure that terminally ill patients have access to information about a full range of end of life choices accepted in law and medicine passes in California. AB 2747, the Right to Know End of Life Options Act. On September 30, 2008, Gov. Schwarzenegger signs the Terminal Patients' Right to Know End-of-Life Options Act, AB 2747 (Berg-Levine). [Read more about the Terminal Patients' Right to Know End-of-Life Options Act here.](#)

American Public Health Association (APHA) adopts a position supporting death with dignity for terminally-ill patients.

On November 4, 2008, Washington voters overwhelmingly approved I-1000 59% to 41%. Washington is the second state to Legalize Aid in Dying! The *Yes on I-000 Campaign* has moved patient's rights forward. The Oregon experience shows Aid-in-Dying law benefits all at end of life. It provides comfort and control to the terminally ill and ends violent deaths. [Read more about our legislative advocacy here.](#)

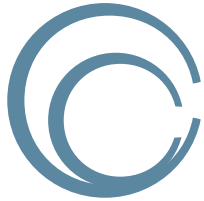
Montana District Court Judge Dorothy McCarter held in December 2008 that the Montana State Constitution protects a peaceful death with dignity making Montana the third state to provide its residents with legal Aid in Dying. Compassion & Choices Legal Director Kathryn Tucker and Missoula litigator Mark S. Connell led the successful *Baxter et al v. Montana* case, filed October 2007. [Read more about Baxter v. Montana here.](#)

2009

On January 1, the Terminal Patients' Right to Know End-of-Life Options Act, AB 2747 (Berg-Levine) goes into effect in California. [Read more about the Terminal Patients' Right to Know End-of-Life Options Act here.](#)

Compassion & Choices calls on the Obama Administration to repeal last-minute regulations allowing denial of medical services based on health care worker religious beliefs.

On March 5, Washington's Death with Dignity Act begins implementation.



Leading the End-of-Life Choice Movement for Thirty Years.

compassion & choices

Support. Educate. Advocate. Choice & Care at the End of Life.

As the health insurance reform debate heats up in Washington and around the country, Compassion & Choices aggressively responds to *mis-information* campaign launched by opponents of end-of-life choice to undermine a key provision of health insurance reform. Recent action and statements indicate the end-of-life consultation provision may survive in a final health care bill. [Read more about end-of-life choices in health insurance reform here.](#)

On October 7, Compassion & Choices Legal Director, Kathryn Tucker, files suit in Connecticut on behalf of two Connecticut physicians, Gary Blick and Ron Levine, asserting that the Connecticut statute which makes a crime of assisting someone to “commit suicide” does not reach the conduct of a physician providing aid in dying. [Read more about *Blick at al v. Connecticut* here.](#)

On October 29th, Congressman Earl Blumenauer of Oregon stood with leaders of the House of Representatives as they unveiled House Resolution 3200, Section 1233, the Life Sustaining Treatment Preferences Act of 2009 that would provide coverage under the Medicare Program for consultations regarding POLST.

Senator Jay Rockefeller champions end-of-life care in his in his report to the Senate Finance Committee's health care reform legislation. Compassion & Choices continues work to assure end-of-life choice remains a key component of final health insurance reform package.

On October 13-14, Compassion & Choices hosts “Dignity & Choices, A Symposium on End-of-Life Advocacy” in Washington, DC. Two days of discussion, exploration and study, Dignity & Choices provides an opportunity to promote principles and practices that focus on patients. Physicians, social workers, nurses, attorneys and advocates for end-of-life choice filled the National Press Club to hear aspects of end-of-life care rarely discussed and illuminate the way forward. [Watch video highlights from Dignity & Choices here.](#)

On December 31, the Montana Supreme Court ruled in favor of the landmark case brought by Compassion & Choices (*Baxter v. Montana*) affirming that it is not against public policy of the state of Montana for a physician to provide aid in dying to a mentally competent, terminally ill individual. [Read more about *Baxter v. Montana* here.](#)