



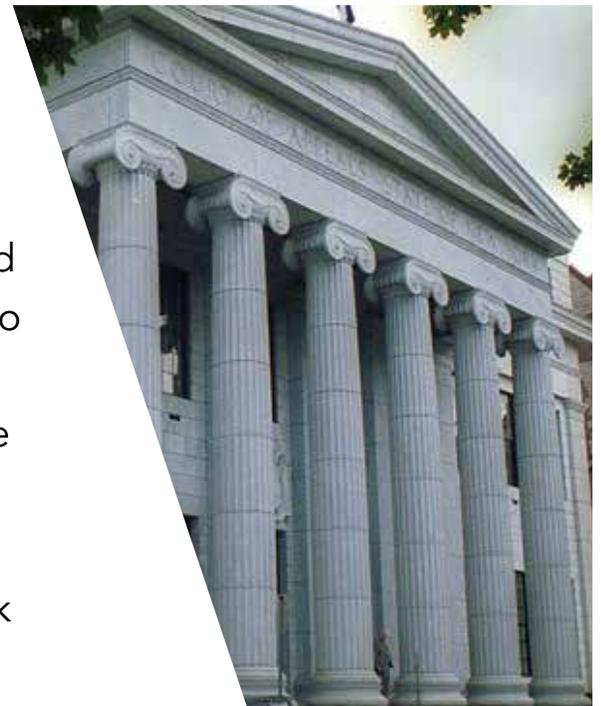
Physician-Assisted Suicide: Quotes from the New York Court of Appeals

Advocates went to court to argue for a “right” to physician-assisted suicide. They failed.

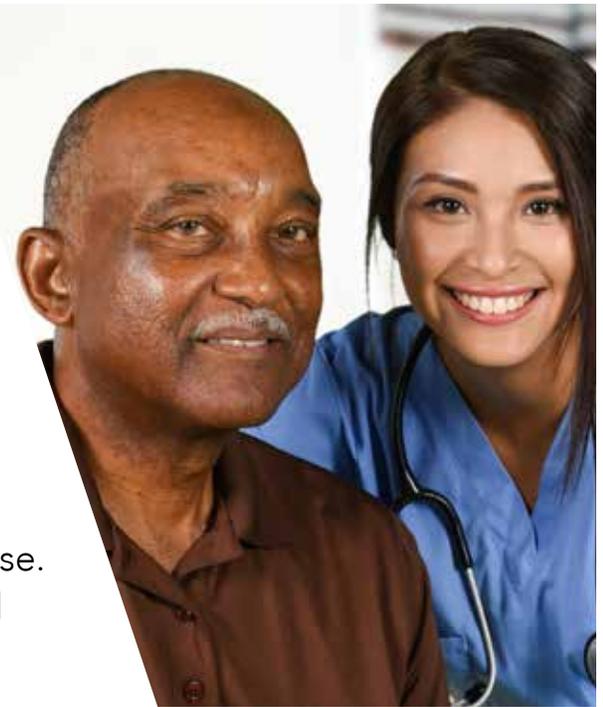
“[The] Legislature of this State has permissibly concluded that an absolute ban on assisted suicide is the most reliable, effective, and administrable means of protecting against its dangers.”

Myers v. Schneiderman (2017 NY Slip Op 06412, September 7, 2017).

In a landmark 2017 decision, the New York Court of Appeals rejected the argument that so-called “medical aid-in-dying” should be exempt from New York’s ban on assisted suicide. The Court held that “assisted suicide statutes apply to anyone who assists an attempted or completed suicide. There are no exceptions... As written, the assisted suicide statutes apply to a physician who intentionally prescribes a lethal dosage of a drug...” The Court ruled that the Constitution of the State of New York does not recognize a right to assisted suicide.



The Court acknowledged the well-established and clear distinction between refusing life-sustaining treatment (which is legal) and assisted suicide (which is not). This crucial distinction is widely recognized in both medicine and law. The Court said that this distinction is “important, logical and certainly rational,” and added that “it turns on... intent.” The intent of removing medical interventions is to free the patient of burdensome, often non-beneficial treatments; if the patient dies, the cause of death is the underlying disease. However, the intent of physician-assisted suicide is to end the patient’s life; the cause of death is lethal drugs.



The Court declared that the Legislature “has a rational basis for criminalizing assisted suicide” and delineated “legitimate, important... long-standing state interests” in maintaining the ban. Those interests include:

- Preserving life and preventing suicide, which is “a serious public health problem”;
- Guarding against accidental and intentional misuse of medications;
- Maintaining physicians’ role as their patients’ healers;
- Protecting vulnerable people from financial, psychological or other pressures to end their lives; and
- Avoiding a slide toward euthanasia.

The Court of Appeals was correct to rule against the creation of a constitutional “right” to physician-assisted suicide. The State Legislature should leave the existing ban on assisted suicide in place. Terminally-ill New Yorkers should be assisted in living, not dying.



Twitter.com/NoSuicideNY
FB.com/NoSuicideNY
info@NoSuicideNY.org

PO Box 7291
Albany, NY 12224

The New York Alliance Against Assisted Suicide is committed to preventing the legalization of assisted suicide in the Empire State.



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