

7-6-25

Disabled people in the state need support, not a prescription to die

Groups are right to challenge Colorado's Medical Aid in Dying law

I fear for my future self.

When I was a teen, a suicide attempt put me in the hospital. I recovered from the pill overdose and got the treatment I needed to manage depression, a condition that has never ceased to be my shadow. It, along with chronic pain from an autoimmune arthritic disease, has darkened moments of an otherwise good life. I can't help wonder, though, if I were 76 instead of 16, and lying in that hospital bed if doctors would have simply offered to finish the job and prescribed suicide instead of offering life-preserving help.

Impossible? Original laws in Canada, Belgium, and the Netherlands legalizing assisted suicide for the terminally ill have been expanded to cover those with chronic and mental ailments. In the latter two countries, even children may request euthanasia. The Netherlands and Belgium have seen a rise in assisted suicide among those for whom mental illness is the only underlying condition. Patients with mental illness will be eligible for assisted suicide in Canada in 2027. Already euthanasia has become the 5th leading cause of death north of our border.

If euthanasia laws are a slippery slope, we've taken the first downhill stride here in Colorado. The legislature has expanded the 2016 voter-approved initiative law to allow more people to prescribe assisted suicide pills and has shortened the waiting period. How long before medical personnel can offer people like me who struggle with chronic illness and depression a way out instead of a way forward?

For those with life-threatening, rather than merely debilitating chronic conditions like mine, the 2016 law was a precipice not a slope from which we have already jumped. Fortunately, four disability rights organizations, the United Spinal Association, Not Dead Yet, the Institute for Patients' Rights, and Atlantis ADAPT, and a courageous young woman who struggles with anorexia and depression have decided to challenge Colorado's assisted suicide law to stop "a deadly and discriminatory system that steers people with life-threatening disabilities away from necessary lifesaving and preserving mental health care, medical care, and disability supports, and toward death by suicide," according to the suit filed this week.

The suit points out that the assisted suicide law does not require "screening or treatment by a mental health professional for serious mental illness, depression or treatable suicidality before the lethal prescription is written." While providers of suicide pills are supposed to discuss alternatives to suicide, there is no way to certify they have done so and they need not actually help patients obtain services.

The suit exposes a two-tiered medical and justice system. Other state public health laws, regulations, and services protect people who are suicidal from caregivers, medical professionals, and family members who might encourage self-harm, but suspends these protections if a doctor predicts the person has less than six months to live.

As the suit points out, these predictions are not always correct. My dad, diagnosed with an incurable form of aggressive cancer, was initially given six months to live. With equally aggressive treatment and loving support, he lived three years. That was before the passage of the assisted suicide initiative.

Last year, 510 people received suicide pills according to a state health department report. Eighteen of these recipients were diagnosed with "severe protein calorie malnutrition," indicating they could have had an eating disorder which is a treatable diagnosis. None of these patients received the same protection from self-harm afforded other Coloradans. Thus, the law "violates the Due Process Clause of the Fourteenth Amendment because it lacks the safeguards needed to protect people with life-threatening disabilities from self-inflicted death caused by impaired judgment, depression, and undue influence by others," the lawsuit rightly states.

On behalf of everyone who struggles with mental, chronic, life-threatening, and terminal health conditions who are vulnerable to suicide, I hope the plaintiffs prevail.

Krista L. Kafer is a Sunday Denver Post columnist. Follow her on Twitter: @kristakafer.

