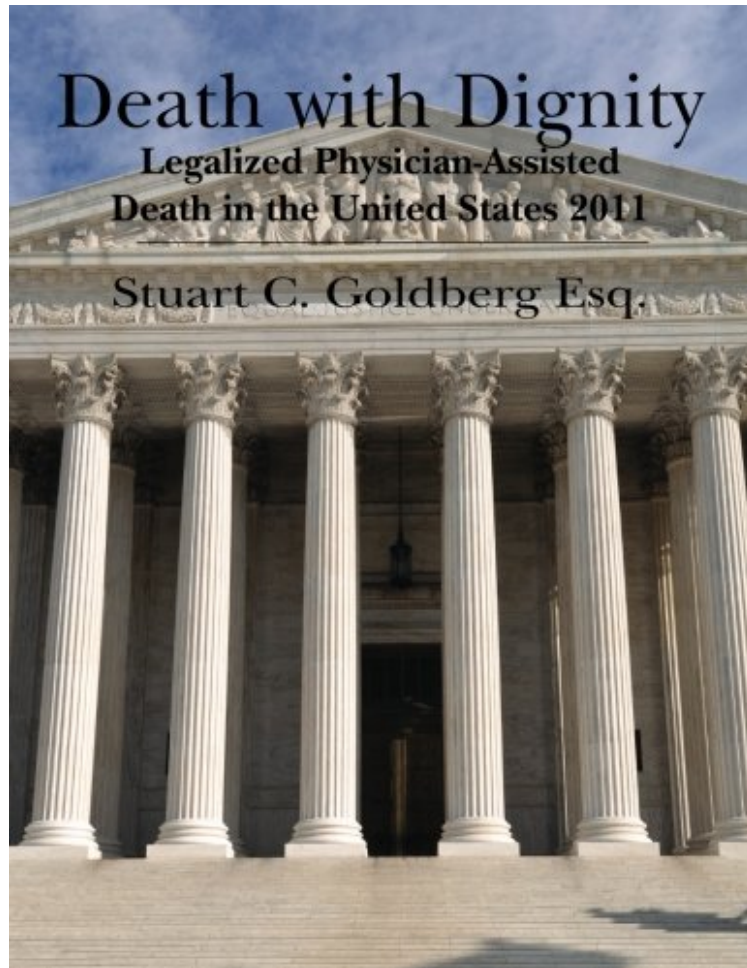


Death With Dignity: Legalized Physician-Assisted Death in the United States 2011

Stuart C. Goldberg Esq.

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As of 2011, two States, Oregon and Washington, have enacted Death with Dignity Acts. Pursuant to this legislation, a qualified patient, suffering from a terminal disease, can request a physician to write a prescription for medication to end his or her life in a humane and dignified manner, in what is now known as physician-assisted death. A combined

644 patients have died following ingesting such lethal doses of medication. As to each State, this book presents a detailed analysis of what constitutes a qualified patient, and the exact procedures that must be followed to satisfy the Acts many safeguards. Separate chapters examine the statistics relating to these 644 patients. This book also presents a detailed analysis of three seminal United States Supreme Court cases that form the foundation for the legalization of state Death with Dignity Acts. *Cruzan v. Missouri* (1990), was the first right to die case to have reached the Supreme Court. *Washington v. Glucksberg* (1997), dealt with the rights of terminally ill patients to obtain what was then referred to as physician-assisted suicide, as well as the physicians right to provide such medical services. And, *Gonzales v. Oregon* (2006), dealt with an unsuccessful attempt by the United States Attorney General John Ashcroft to destroy the Oregon Death with Dignity Act by claiming that the lethal medication was in violation of the Controlled Substance Act. The author of this book, a former Assistant United States Attorney, applies a uniquely legal approach to define the scope and reach of the Oregon and Washington Death with Dignity Acts, as well as the arguments pro and con, as set forth by the Supreme Court, relating to physician-assisted death. This book was written with four audiences in mind: first, residents of Oregon and Washington who need to know about their states Death with Dignity Act; second, residents of the other 48 states and other jurisdictions who want to know how to adopt similar legislation; third, all those who want to learn about the thirteen years of actual experience in administering the Oregon Act, and the two years of actual experience in administering the Washington Act; and, fourth, legislators of states without Death with Dignity Acts who want a template to adopt such legislation.

About the Author Stuart C. Goldberg is both an attorney and author. He has earned three law degrees: a JD from Cornell Law School, and two Masters of Law degrees from New York University Graduate School of Law. He has served as: Assistant United States Attorney, Enforcement Attorney for the United States Securities and Exchange Commission, Assistant Director and Principal Liquidator for the New York Stock Exchange, and tenured professor of law. For four decades he has represented public investors in their disputes against Wall Street securities brokerage firms. His many publications regarding securities fraud and arbitration have been cited by both state and federal courts: District and Appellate. His abiding interest in the subject of Death with Dignity Acts came about when he was diagnosed with aggressive prostate cancer.