

## PROFESSION



Peter A. Goodwin, MD [Photo courtesy of Compassion & Choices]

### Family physician who supported assisted suicide dies with doctor's aid

He helped enact Oregon's assisted suicide law, which nearly 600 patients have used to speed their deaths since 1998.

By **KEVIN B. O'REILLY**, amednews staff. *Posted March 23, 2012.*

Peter A. Goodwin, MD, a family physician who lobbied for passage of Oregon's Death with Dignity Act, died March 11 after ingesting medication prescribed to him by a doctor under the law. He was 82.

Dr. Goodwin was diagnosed with the progressive neurodegenerative disease corticobasal degeneration in 2006. He said in a recent online video that three physicians gave him a prognosis of less than six months.

"I've always accepted the idea that if push came to shove, and if I qualified for the [Death with Dignity Act], that I'd use the law," Dr. Goodwin said in the video ([compassionandchoices.org/goodwin](http://compassionandchoices.org/goodwin)).

Dr. Goodwin died about 30 minutes after taking the medication, according to Compassion & Choices, a Denver-based organization that supports legal access to physician-assisted suicide. He was surrounded by his four children and their spouses, all of whom supported the decision.

Along with two other activists, Dr. Goodwin was a chief petitioner for the 1994 ballot measure that led to the Death with Dignity Act. He also spoke before a meeting of the Oregon Medical Assn., which adopted a neutral position on physician-assisted suicide.

Officials at the association did not comment by this article's deadline on Dr. Goodwin's death or his role in the organization's neutral stance. But physician-assisted suicide opponent Kenneth R. Stevens, MD, said the association's position was critical to the ballot measure's narrow win.

"I think that had the OMA not taken that position in '94, the law would not have passed. It only passed 51% to 49%," said Dr. Stevens, vice president of the Physicians for Compassionate Care Education Foundation, a Yakima, Wash.-based organization that opposes doctor-aided dying. "People wondered, 'What's the doctors' position?' and saw, 'Oh, they're neutral.' That made people think there was less to worry about."

The OMA backed a failed 1997 effort to repeal the Death with Dignity Act and reaffirmed that pro-repeal position in 2005. American Medical Association policy "strongly opposes any bill to legalize physician-assisted suicide" because the practice is "fundamentally inconsistent with the physician's role as healer."

Dr. Goodwin worked to launch Compassion & Choices of Oregon and was the organization's first medical director. He helped the first woman to use the law find a physician willing to participate in doctor-assisted suicide. The patient, never identified by

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 the first woman to use the law and a physician willing to participate in doctor-assisted suicide. The patient, never identified by name, was in her 80s and had metastatic breast cancer.

“The quality of her life was just disappearing,” Dr. Goodwin said in a 1998 *American Medical News* article.

### Increase in doctor-assisted suicide

Since 1998, 596 patients have died with physicians' help in Oregon. A record-high 71 Oregonians committed doctor-assisted suicide in 2011. Washington enacted a similar aid-in-dying law in 2008, which took effect the following year. In 2009, 36 patients in Washington died after ingesting physician-prescribed medication; the figure rose to 51 in 2010. Data for 2011 have not yet been released, but the number of Washington aid-in-dying requests rose from 95 in 2010 to 103 in 2011.

Washington and Oregon are the only states that have enacted laws legalizing assisted suicide.

The Montana Supreme Court ruled in December 2009 that physicians who prescribe life-ending medication to patients with terminal illnesses are not subject to state homicide statutes. Since then, state legislators have not acted to regulate doctor-assisted suicide or outlaw the practice, leaving Montana physicians in legal limbo.

The Massachusetts House is considering a bill to allow physician-assisted suicide. Meanwhile, Compassion & Choices Hawaii has argued that state law allows doctors to participate in assisted suicide. In December 2011, state Attorney General David M. Louie issued an opinion saying that charges could be brought under Hawaii's manslaughter statute.

On March 15, two New Mexico physicians filed a lawsuit seeking to clarify whether the state's assisted-suicide law applies to doctors who want to prescribe life-ending medications to terminally ill patients. A similar lawsuit filed by two Connecticut doctors was dismissed in 2010. In February, the Supreme Court of Georgia struck down on First Amendment grounds a state law that banned publicly advertising or offering to assist in suicides. Charges against a physician and three others affiliated with the Final Exit Network were dismissed.

In a 2005 *American Medical News* article, Dr. Goodwin said the medical, ethical and legal fight over aid-in-dying should focus on patient autonomy, not suicide.

“Our advocacy is advocacy for choice,” he said. “It's the patient's choice that is central here.”

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