

Death with Dignity Act History

The Oregon Death with Dignity Act (DWDA) was a citizen's initiative first passed by Oregon voters in November 1994 with 51% in favor. Implementation was delayed by a legal injunction, but after proceedings that included a petition denied by the United States Supreme Court, the Ninth Circuit Court of Appeals lifted the injunction on October 27, 1997. In November 1997, a measure asking Oregon voters to repeal the Death with Dignity Act was placed on the general election ballot (Measure 51, authorized by Oregon House Bill 2954). Voters rejected this measure by a margin of 60% to 40%, retaining the Death with Dignity Act. After voters reaffirmed the DWDA in 1997, Oregon became the first state allowing this practice.

On November 6, 2001, U.S. Attorney General John Ashcroft issued a new interpretation of the Controlled Substances Act, which would prohibit doctors from prescribing controlled substances for use under the DWDA. After multiple hearings and appeals, the Oregon DWDA was upheld and remains in effect today.

In 2008, the State of Washington passed Initiative 1000, the state's Death with Dignity Act, which became law on March 5, 2009. Information about the Washington Death with Dignity Act can be found at <http://www.doh.wa.gov/dwda>. In 2009, the Montana Supreme Court ruled that physicians may assist patients in ending their lives by prescribing lethal medications (to be self-administered by the patient), citing the state's Rights of the Terminally Ill Act. Information on the Montana Supreme Court decision can be found at <http://searchcourts.mt.gov/getDocument?vid={88A87FE0-2501-438A-AC31-CCE62D37C894}>.