

California Governor's Bid to Legalize Assisted Suicide Breaks the Law Say Legal Experts

Life Legal Defense Foundation is urging California Governor Jerry Brown to veto legislation that would legalize physician-assisted suicide by permitting physicians to prescribe so-called "aid-in-dying drugs" for their patients.

The bill, ABX2-15, was introduced during an extraordinary procedure by which the governor can call the legislature into session to enact legislation that cannot wait until the next regularly scheduled term. Governor Brown convened an extraordinary legislative session on June 19 to secure funding for Medi-Cal to provide for millions of new Medi-Cal beneficiaries under the Affordable Care Act.

But supporters of physician-assisted suicide, who were not successful in passing legislation during the regular session, exploited the special Medi-Cal session to advance their agenda behind closed doors.

Legislation allowing doctors to prescribe lethal drugs is highly controversial and opposed by disability rights groups, hospitals, physicians' groups, as well as by Life Legal Defense Foundation.

"We expect our state legislators to uphold the State Constitution and not bend the law to further their own ends," said Life Legal Executive Director Alexandra Snyder, "Californians have a right to an open, deliberative, and transparent legislative process when it comes to law and policy changes that are literally a matter of life and death."

While the California Constitution permits the governor to issue proclamations to convene extraordinary legislative sessions, the legislature is prohibited from enacting bills that are not the specific subject of the proclamation. In this case, Governor Brown's proclamation expressly states that the purpose of the extraordinary session on Medi-Cal is to "stabilize the General Fund's costs for Medi-Cal" and to "provide rate increases for providers of Medi-Cal and developmental disability services." The Legislature was specifically tasked with enacting legislation to expand access to services, increase oversight, and "reduce the cost of providing health care services."

The governor himself has stated that the extraordinary session was not the proper vehicle for AB2X-15 and has recommended that the bill be taken up during the next session.

The legislature acted outside the permissible scope of its authority under the California Constitution, article IV, section 3, in passing AB2X-15.

Physician-assisted suicide was not the subject of the extraordinary session and should never be considered a means to stabilize funding for Medi-Cal and reduce the cost of health care.

Life Legal Defense Foundation urges the governor to act today to veto AB2X-15.