



Vacco v. Quill, 521 U.S. 793, 801, 809-10 (1997)

The issue was whether New York's prohibition on assisting suicide violated the Equal Protection Clause of the Fourteenth Amendment. Respondent physicians asserted that although it would be consistent with the standards of their medical practices to prescribe lethal medication for mentally competent, terminally ill patients who were suffering great pain and desired a doctor's help in taking their own lives, they were deterred from doing so by New York's ban on assisting suicide. The Court held that New York's statute outlawing assisted suicide neither infringed upon fundamental rights nor involved suspect classifications; thus, it was entitled to a strong presumption of validity. The Court went on to hold that the distinction between assisting suicide and withdrawing life-sustaining treatment had a rational basis.

The Court Weighed Several Factors of Ethics and Responsible Medical Practice and Looked to the AMA to Guide its Reasoning

First, when a patient refuses life-sustaining medical treatment, he dies from an underlying fatal disease or pathology; but if a patient ingests lethal medication prescribed by a physician, he is killed by that medication. See, e.g., . . . American Medical Association, Council on Ethical and Judicial Affairs, Physician-Assisted Suicide, 10 *Issues in Law & Medicine* 91, 92 (1994) ("When a life-sustaining treatment is declined, the patient dies primarily because of an underlying disease").

The illusory character of any differences in intent or causation is confirmed by the fact that the American Medical Association unequivocally endorses the practice of terminal sedation--the administration of sufficient dosages of pain-killing medication to terminally ill patients to protect them from excruciating pain even when it is clear that the time of death will be advanced.

Medical technology, we are repeatedly told, makes the administration of pain-relieving drugs sufficient, except for a very few individuals for whom the ineffectiveness of pain control medicines can mean, not pain, but the need for sedation which can end in a coma. Brief for National Hospice Organization 8; Brief for the American Medical Association (AMA) et al. as *Amici Curiae* 6