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Disability Organizations and Individuals Partner to Appeal the Deadly and Discriminatory Public Policy of Physician-Assisted Suicide

California Law Unlawful and Unconstitutional

LOS ANGELES, CA — [Date] — Today, the United Spinal Association ("United Spinal"), Not Dead Yet (“NDY”), Institute for Patients’ Rights (“IPR”), Communities Actively Living Independent & Free (“CALIF”), and individual plaintiffs, Lonnie VanHook and Ingrid Tischer, filed an appeal to the 9th Circuit following the recent dismissal of their lawsuit challenging California’s End of Life Option Act (EOLOA). The current state law permits physicians to prescribe lethal drugs to suicidal patients and has weakened many of the safeguards in the original law, fast-tracking death by suicide within 48 hours. The EOLOA, by design, remains unregulated by any California public entity, leaving patients and their loved ones at grave risk of harm and without recourse.

Diane Coleman, President and CEO of NDY commented, “A doctor told my parents I would die by age 12. Many of us with life threatening disabilities like the individual plaintiffs, Lonnie and Ingrid, would be able to qualify for lethal drugs under these laws. The doctor decides who fits the vague definition of “terminal” and studies – including a recent Harvard study – confirm what we already know about the dim view that the majority of doctors take toward people with disabilities. We deserve the same suicide prevention as anybody else – otherwise, it’s unlawful discrimination.”

The appeal contends that the District Court erred in dismissing the Complaint by reasoning that physician assisted suicide is a supposedly voluntary choice and therefore, cannot violate federal disability laws. The ADA does not allow government discrimination even in “voluntary” programs. And there is no true choice when patients are steered to inexpensive and available physician assisted suicide and face barriers, delays and high costs when trying to live with difficult to access and expensive home health care, palliative care and other necessary supportive services. The terms “terminal” and “6-month prognosis” in the California statute are ambiguous, leading to a broad application that includes individuals with various serious conditions. "We’ve seen cases where people with conditions like diabetes, HIV, anorexia, and others who manipulated their circumstances qualify for life-ending drugs," observed Matt Vallière, Executive Director of IPR. "This complex reality highlights significant issues that extend far beyond a simple legal analysis.

The recent ruling by the lower court seems to suggest that the law is functioning as intended and will remain unchanged but that is just what plaintiffs are contending. The original safeguards have already been weakened, such as reducing the mandatory waiting period from 15 days to just 48 hours. Recent legislative efforts aimed to further dismantle these protections, potentially enabling even those without life-threatening disabilities to seek assisted suicide, pushing California towards full out euthanasia.
“Our concern, which we hope the Court will acknowledge, is that inadequate resources to provide home care and fear of being a financial or care burden is the motivation for overwhelmed severely disabled people to kill themselves. Californians and the doctors who serve them should divert those trying to kill themselves to suicide prevention programs,” said Vincenzo Piscopo, CEO of United Spinal Association.

The lawsuit originally filed in the U.S. District Court for the Central District of California also highlighted several critical issues:

- Publicly reported data shows that over 2,000 patients who utilized physician-assisted suicide primarily did so due to disability-related fears.
- Every person who qualifies for lethal drugs under EOLOA is classified as a person with disabilities under federal law.
- Physician Assisted suicide law is unregulated and unsupervised, facilitating undue pressure from heirs, family members, and caregivers.
- Financially motivated insurers have denied life-saving treatments in favor of offering lethal prescriptions.
- People of color, particularly those who are economically marginalized, are more susceptible to being steered towards suicide by providers.

Plaintiffs Ingrid Tischer and Lonnie VanHook shared their personal experiences of being pressured towards assisted suicide due to their disabilities, highlighting the profound impact of such policies on their lives and mental health.

The appeal requests the court to declare that the California law violates the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Fourteenth Amendment’s Due Process and Equal Protection Clauses, and to enjoin the Defendants from enforcing the law.

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**About United Spinal Association**

*Formed in 1946 by paralyzed veterans, United Spinal is a national 501(c)(3) nonprofit membership organization dedicated to empowering people with spinal cord injuries and disorders (SCI/D), including veterans, to live successful and fulfilling lives. Membership is free and open to all individuals with SCI/D, with over 60,000 members across 49 chapters, close to 200 support groups and more than 100 rehabilitation facilities and hospital partners nationwide. Known for its revolutionary advocacy efforts, United Spinal played a significant role in writing the Americans with Disabilities Act, provided important contributions to the Fair Housing Amendments Act and the Air Carrier Access Act, and was instrumental in attaining sidewalk curb ramps and accessible public transportation in New York City, which created the standard accessibility model used in many United States cities. For more information visit: [https://unitedspinal.org/](https://unitedspinal.org/)*

**About Communities Actively Living Independent & Free**
Communities Actively Living Independent & Free (CALIF) is an independent living center, a non-profit 501(c)(3) organization that provides advocacy programs and services for people with disabilities primarily residing within the 50 zip codes of Los Angeles County covering south and central Los Angeles and neighboring communities. For more information visit: https://calif-ilc.org/

About Not Dead Yet
Not Dead Yet is a national, grassroots disability rights group that opposes legalization of assisted suicide and euthanasia as deadly forms of discrimination against old, ill, and disabled people. Not Dead Yet helps organize and articulate opposition to these practices based on secular social justice arguments. Not Dead Yet demands the equal protection of the law for the targets of so called “mercy killing” whose lives are seen as worth-less. For more information visit: https://notdeadyet.org/

About Institute for Patients’ Rights
The Institute for Patients’ Rights, Inc. is a 501(c)(3) that conducts research, educates the public, and works to expand and implement tools of empowerment for older adults, people with disabilities, marginalized persons, and their families to combat policies and medical practices that devalue some people’s lives, putting them at greater risk of deadly harm. For more information visit: https://instituteforpatientsrights.org

Media Contacts:

General: Bianca Ngala
bngala@apcoworldwide.com

For Rosen Bien Galvan and Grunfeld LLP: Carl Whitaker
carl@whitakercom.com

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Suicidal thoughts or actions (even in very young children, older adults, and people with life-threatening illness/disability) are a sign of extreme distress and should not be ignored.

If you or someone you know needs immediate help, call or text the national Suicide and Crisis Lifeline at 988.

Learn more about ways you can help someone who might be at risk for self-harm.