

PRESS RELEASE - November 6, 2001

## **RULING DEFENDS SERIOUSLY ILL, PROTECTS DOCTORS**

U.S. Department of Justice (DOJ) announced November 6, 2001 it will enforce the Controlled Substances Act uniformly across all 50 states. This message powerfully affirms medical ethics and reassures doctors. The ruling clarifies that aggressive pain management is legitimate medical care even if it may increase the likelihood of death in rare instances. By enforcing the law uniformly, DOJ will defend the lives of seriously ill patients. More than 70 Oregon patients have been given overdoses instead of care, all of them because of psychological and social concerns, all of them using federally controlled substances. Yet in protecting the seriously ill against the misuse of federally controlled substances for assisted suicide in Oregon, the one state where such a practice is legal, the ruling specifically said the Drug Enforcement Administration (DEA) will only need to look at the assisted-suicide reporting forms themselves--which name the drugs used--and therefore will NOT increase its scrutiny of physicians using controlled substances for pain management in Oregon.

PCC is reassured by DOJ's enlightened clarification of federal law.

- Doctors are reassured that aggressive pain management will be protected.
- Doctors are reassured that the DEA will not be spotlighting physician prescribing practices in Oregon.
- Doctors are reassured that the lives of seriously ill patients will be defended.

In the ten states which have recently strengthened laws against assisted suicide by incorporating language on pain control similar to this ruling, the average percentage increase in per capita morphine use the following year was over 50%. Between 1994 and 1997, when there was a federal injunction forbidding assisted suicide in Oregon, per capita morphine use doubled.

DOJ's ruling takes into account that the Oregon Medical Association has an official stance opposing Oregon's assisted-suicide law.

DOJ's ruling includes those elements emphasized by the American Medical Association's (AMA) official stance on pain care and assisted suicide. It protects doctors who aggressively treat pain. And it reaffirms the AMA ethic to never give patients lethal overdoses.

All statements may be quoted as from Dr. Gregory Hamilton, spokesperson for PCC, where he is co-founder and past-president. For further information call Dr. Hamilton at (503) 816-2224 or Dr. Petty at (503) 250-9724. November 6, 2001.