

March 17, 2018

Honorable Co-chairs — State Senator Terry Gerratana, State Senator Heather Somers, and State Representative Jonathan Steinberg — and our good friend and great senator, State Senator Marilyn Moore, and members of the Public Health Committee:

**I support HB5417 AN ACT CONCERNING END-OF-LIFE CARE.**

5 years, 8 months, and 23 days ago today, my dad died. John F. Spain, Esq. of Bethel, Connecticut died 17 days following diagnosis of metastatic lung cancer. He was buried on his 72<sup>nd</sup> birthday at St. Peter's in Danbury.

The multiple hospitalizations and indignities that my dad suffered in that sudden slow death still haunt me.

John, or Johnny as old-timers knew him, was a devoted Catholic who lived a good life, in part to prepare for the salvation of his soul, according to his lifelong friend and confidante, Rev Leo McIlrath. But, even so, my dad expressed to us his wish to be relieved of the suffering created by unnecessary doctoring and medical interference during his final 2 weeks of life.

His sharp cognition was diminished by the innumerable tumors. Mutated lung cells had transited his blood-brain barrier and colonized his gray matter, alongside his memories of falling in love with my mom, playing basketball at Madison Square Garden, reading the writings of Julius Caesar in Latin, Aristotle in Greek, learning how to do a back flip off the diving board at Candlewood Lake, nearly drowning off Cancun with a friend who did drown horribly that day, being a softball coach, a basketball coach, a tutor to poor kids of color, to volunteering nights at Dorothy Day Soup Kitchen and Shelter, and in finding honor and humility in hard work to gain an expertise in the law, and in sports statistics like something out of 'Rain Man'.

In the final week of his life, my dad bobbed in and out of altered states. Some part of him still was there. From his hospital bed, he whispered emphatically to us, "No more bullshit." He meant: Please, let me die in peace. According to the heavy-lidded physicians, the options were so limited, even hospice was out. Dad was in free fall, but he couldn't be moved. Every moment orbited around the morphine and medical tests. Our own pets in similar end-of-life stages were treated better by the veterinarians. Who benefits from this? What population does this policy or lack of policy serve?

More than 20 years ago, Oregon implemented its Death with Dignity Act. Since then, Washington, Vermont, California, Montana, Colorado and Washington DC have passed legislation authorizing medical aid in dying for terminally ill adults, and just this week, the Hawaii State House approved the Our Care, Our Choice Act. Last November, the Vermont Medical Society dropped its opposition to Death with Dignity; in December, its Massachusetts counterpart followed suit. Physicians are increasingly becoming Death with Dignity proponents and 7 in 10 Americans support death with dignity.

What about Connecticut? Death with Dignity bills have been considered several times. The first attempts came in 1995 and 1997. After Washington passed the second Death with Dignity statute in the nation, the issue returned to the Connecticut legislature

in 2009. Bills considered in 2013, 2014, 2015 and 2017 received Committee hearings, but were not even put up for a vote.

Isn't it finally time for the citizens of this state to have the right to make their own decisions about the care they will receive at the end of their own lives? Will you just ignore this and make me and many others go through this again? I hope not. We -- my mother, my wife, and my loved ones -- hope not. Life and death are hard enough.

Thank you for your time and considerations to this deep and inescapable issue, and for your service to our state and communities.

*\Electronic signature Peter D. Spain\*

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