

Beacon Hill Byline Mary Rogeness:

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Health Care Proxies

A new bill has been introduced in Boston this year. It is named “Death with Dignity,” but a close reading of its provisions indicates that it really allows physicians to prescribe lethal drug doses for terminally ill patients. Several constituents have written to enlist my support for the bill, and I invite your comments on that topic. At this time I am not ready to endorse death-inducing practices to allow a mentally competent person to hasten his or her death by drug overdose. I do, however, strongly support an alternative document that comes closer to my definition of death with dignity. That document, recently authorized by our legislature, is the Health Care Proxy.

The Health care proxy does not affect anyone at the time it is signed. It is a document to file with your important papers, and it addresses the possibility that any of us might face if we become mentally incapacitated. It is activated if accident or disease should leave our bodies damaged to the extent that life is sustained by medical technology alone, and we are unable to request the termination of the practices and procedures that prolong life beyond our capacity to reason.

Massachusetts has passed legislation that allows any of us to designate another individual to act on our behalf in making health care decisions in the event that we lose the ability to decide for ourselves. The Health Care Proxy is a simple document in which an adult names another person as Health Care Agent with specified authority in accordance with Mass General Laws. It must have two witnesses, and then it becomes part of our personal records.

The law creating the proxy was passed in recognition that medical technology today can keep our bodies alive long after our minds have ceased to function. An Agent acts with full medical information about your case or, if that information is lacking, uses his or her assessment of your best interests. All actions are subject to any limitations you have specified. Your doctors are protected from liability when they rely on decisions made by your Agent acting under the Health Care Proxy.

We consider the loss of the ability to reason something that happens to older people, but accidents can happen at any age. Several prominent news stories have told of young accident victims who lie in hospital beds with no hope to regain any cognitive function. Their families endure months and years of pain as courts labor to determine what the patient would have wanted. I believe proxies will spare others that pain as they become widely used throughout the state.

My office has a supply of Health Care Proxies, and I will be happy to supply one for you. If you would like a form, just call me at 567-5480 or write to my office, Room 237, State House, Boston, 02133. You will receive the paperwork by return mail.