

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 389

Short Title: Physician-Assisted Suicide Unlawful. (Public)

Sponsors: Senators Forrester, Purcell; Allran, Berger, Bingham, Carpenter,
Hartsell, Plyler, and Shaw of Guilford.

Referred to: Judiciary I.

March 12, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE CRIMINAL OFFENSE OF PHYSICIAN-ASSISTED
3 SUICIDE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 6 of Chapter 14 of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 14-17.2. Physician-assisted suicide.**

8 (a) The following definitions apply in this section:

9 (1) Licensed health care professional. – A duly licensed physician,
10 surgeon, podiatrist, osteopath, osteopathic physician, osteopathic
11 surgeon, optometrist, chiropractor, physician assistant, nurse, dentist,
12 or pharmacist.

13 (2) Physician-assisted suicide. – The act of a licensed health care
14 professional participating in a medical procedure or willfully
15 prescribing any drug, compound, or substance for the express purpose
16 of assisting a patient to intentionally end the patient's life. The term
17 does not include a person participating in the execution of a person
18 sentenced by a court to death by lethal injection.

19 (b) It is unlawful for any licensed health care professional to commit the offense
20 of physician-assisted suicide.

21 (c) Any licensed health care professional who violates this section is guilty of a
22 Class D felony.

23 (d) None of the following shall be construed as a violation of this section:

24 (1) Carrying out the provisions of advanced directives or living wills.

25 (2) The withholding or withdrawing of a life sustaining procedure or
26 compliance with any other State or federal law authorizing withdrawal
27 or refusal of medical treatments or procedures.

1 (3) The administering, prescribing, or dispensing of medications or
2 procedures, by or at the direction of a licensed health care professional,
3 for the purpose of alleviating another person's pain or discomfort, even
4 if the medication or procedure may increase the risk of death as long as
5 the medication or procedure is not also intentionally administered,
6 prescribed, or dispensed for the purpose of causing death, or the
7 purpose of assisting in causing death for any reason.

8 (4) The administering, prescribing, or dispensing of medications or
9 procedures to a patient diagnosed with a medical condition that
10 includes an element of suicidal ideation, even if the medication or
11 procedure may increase the risk of death as long as the medication or
12 procedure is not also intentionally administered, prescribed, or
13 dispensed for the purpose of causing death, or the purpose of assisting
14 in causing death for any reason."

15 **SECTION 2.** This act becomes effective December 1, 2001, and applies to
16 offenses committed on or after that date.