

AMENDMENT NO. _____ Calendar No. _____

Purpose: To ensure health care providers are not forced to participate in assisted suicide or discriminated against because they choose not to participate in assisted suicide.

IN THE SENATE OF THE UNITED STATES—111th Cong., 1st Sess.

S. _____

To make quality, affordable health care available to all Americans, reduce costs, improve health care quality, enhance disease prevention, and strengthen the health care workforce.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 At the appropriate place in title I, insert the following:
2

3 **SEC. __. PROHIBITION AGAINST DISCRIMINATION ON AS-**
4 **SISTED SUICIDE.**

5 (a) IN GENERAL.—The Federal Government, and
6 any State or local government or health care provider that
7 receives Federal financial assistance under this Act (or
8 under an amendment made by this Act) or any health plan

1 created under this Act (or under an amendment made by
2 this Act), may not subject an individual or institutional
3 health care entity to discrimination on the basis that the
4 entity does not provide any health care item or service fur-
5 nished for the purpose of causing, or for the purpose of
6 assisting in causing, the death of any individual, such as
7 by assisted suicide, euthanasia, or mercy killing.

8 (b) DEFINITION.—In this section, the term “health
9 care entity” includes an individual physician or other
10 health care professional, a hospital, a provider-sponsored
11 organization, a health maintenance organization, a health
12 insurance plan, or any other kind of health care facility,
13 organization, or plan.

14 (c) CONSTRUCTION AND TREATMENT OF CERTAIN
15 SERVICES.—Nothing in subsection (a) shall be construed
16 to apply to or to affect any limitation relating to—

17 (1) the withholding or withdrawing of medical
18 treatment or medical care;

19 (2) the withholding or withdrawing of nutrition
20 or hydration;

21 (3) abortion; or

22 (4) the use of an item, good, benefit, or service
23 furnished for the purpose of alleviating pain or dis-
24 comfort, even if such use may increase the risk of
25 death, so long as such item, good, benefit, or service

1 is not also furnished for the purpose of causing, or
2 the purpose of assisting in causing, death, for any
3 reason.

4 (d) ADMINISTRATION.—The Office for Civil Rights of
5 the Department of Health and Human Services is des-
6 ignated to receive complaints of discrimination based on
7 this section.