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My name is Dr. Diana Barnard. Thank you for inviting me to share my professional experience with you regarding S.26.

I have been Board Certified in Family Medicine since 1994 and Board Certified in Hospice and Palliative Medicine since 2012. I have 29 years of experience practicing the Art and Science of medicine. The last 14 years of my career have been focused exclusively on caring for patients and families living with serious illness.

I am an Associate Professor of Family Medicine at the Larner College of Medicine at the University of Vermont. I work for the UVMHN-Porter Medical Center and Helen Porter Rehabilitation and Nursing. I have served on the Board of Patient Choices Vermont since its inception. I have also served on the advisory committee of the American Academy of Medical Aid in Dying since its inception in 2022.

I was actively involved in the multi-year effort to pass our MAID law in 2013. In the nearly 10 years since its passage, our law has worked as intended without a single case of abuse. We have seen significant growth in access to and expertise regarding the practice of MAID. The practice is now legal in 10 states and in the District of Columbia. There is a robust and active American Academy of Medical Aid in Dying which was founded in 2020. There are best practice MAID Clinical Guidelines, standards of care, and growing educational resources for the practice which can reliably result in a peaceful death for those utilizing the law

I have been able to incorporate medical aid in dying services into the Palliative and Hospice care I offer to patients who are interested in having this as an option and who qualify. I cannot emphasize enough that the patients I care for WANT to live. When they must accept the reality of their approaching death, they also hold unique hopes and unique suffering as they manage and anticipate the final phase of their one precious life. My patients are deeply comforted by being able to have some measure of control in the circumstances surrounding their one experience of death. For some, this includes the ability to choose the timing of their death using MAID.

As you will recall, to qualify, a patient must:

- be 18 years of age or older
- be terminally ill, with a prognosis of less than six months
- be capable of making an informed and voluntary decision
- be able to self administer the medication
- make two requests to a physician more than two weeks apart
- be evaluated by a second consulting physician
- put their request in writing, witnessed by two uninterested parties.

While most of my patients live in Vermont, I also care for patients from New York. Over time, I can come to realize the injustice of my inability to offer patients from New York the same full spectrum end of life care that I can offer my Vermont patients. It is a common practice for patients I care for to travel out of state to seek care consistent with their goals and values (for example a cancer patient going to Dana Farber). Our law was modeled after Oregon's law, which also had a residency requirement when it was enacted. Oregon no longer enforces the residency requirement in their law. I now feel compelled to acknowledge that our law was mistaken in limiting any medical care by the state that you live in. While I am not a lawyer, the legal experts I have consulted with have taught me that the residency requirement in our current law in Vermont is wrong and unconstitutional. Now is the time to correct this error.

There is ongoing need for education and support for Vermonters regarding MAID. There will be additional needs for patients from out of state who seek the same choice and control over their end of care needs. Physicians like myself and advocates like Patient Choices Vermont are committed to and already working on growing resources and processes to meet this need.

I strongly support the passage of S.26 as a means to assure equal access to medical care for all the patients I have the honor of caring for as I help them manage the suffering and the opportunities that arise near the end of one's life.

Thank you for your time and attention to this important issue.

Peace,

Diana Barnard, MD