

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023**

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**HOUSE BILL 877**

Short Title:    NCIOM Study/Medical Aid in Dying. (Public)

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Sponsors:     Representatives Harrison, Lambeth, Faircloth, and Howard (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

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Referred to:   Appropriations, if favorable, Rules, Calendar, and Operations of the House

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April 26, 2023

A BILL TO BE ENTITLED  
AN ACT DIRECTING THE NORTH CAROLINA INSTITUTE OF MEDICINE TO STUDY  
THE LEGALIZATION OF MEDICAL AID IN DYING IN NORTH CAROLINA; AND  
APPROPRIATING FUNDS FOR THIS PURPOSE.

Whereas, medical aid in dying (MAID) is a recognized end of life (EOL) option for terminally ill, mentally competent adults who have been diagnosed with a life expectancy of less than 6 months to hasten the dying process; and

Whereas, since 1997, 11 states have legalized MAID, to enable eligible adults who have been examined by at least two physicians to receive an aid in dying medication that these adults may choose to self-administer in the comfort of their own homes among family members and friends; and

Whereas, many adults choose not to take the aid in dying medication even after completing the rigorous application process, but are nevertheless comforted by a renewed sense of autonomy and control in having the aid in dying medication on hand; and

Whereas, data from the 11 states that have legalized MAID indicates that over 90% of MAID applicants have medical insurance and are enrolled in hospice, but nevertheless prefer to abbreviate the dying process through MAID; and

Whereas, in the collective 50 years of data available from the 11 states that have legalized MAID, there have been no recorded instances of misuse, abuse, or coercion and the MAID laws have been operating as envisioned since the time of enactment; Now, therefore, The General Assembly of North Carolina enacts:

**SECTION 1.(a)** The North Carolina Institute of Medicine shall study the advantages and disadvantages of legalizing medical aid in dying (MAID) in North Carolina. The study shall include an evaluation of at least all of the following:

- (1) In the 11 states that have legalized MAID (current MAID states), the process by which a person applies and receives approval for MAID, including applicant qualifications and safeguards.
- (2) The factors that contribute most to a person's decision to seek MAID.
- (3) The characteristics and demographic backgrounds of persons who seek MAID.
- (4) The social and emotional impacts on a person's family members when MAID is available to a person as an alternative to an extended dying process.
- (5) Which medications have been or are currently being used for MAID, and whether intravenous self-administration would be an improvement over self-ingestion through the gastrointestinal tract.



- 1 (6) The best options for healthcare providers to opt out of participating in MAID.
- 2 (7) Available data from the current MAID states that are reporting on conclusions
- 3 arising from the legalization of MAID, particularly with respect to the
- 4 effectiveness of MAID laws in providing an end-of-life option.
- 5 (8) What end-of-life options are currently available in North Carolina and
- 6 recommendations about whether MAID is an advisable additional alternative.
- 7 (9) Developments in MAID legislation since Oregon's 1997 Death with Dignity
- 8 Act and recommendations about what safeguards are essential to ensure that
- 9 only mentally competent, terminally ill persons are seeking MAID, and that
- 10 they are seeking MAID without coercion or undue pressure.
- 11 (10) Using data from current MAID states, the number of people who would likely
- 12 utilize MAID if it became legal in North Carolina.
- 13 (11) In current MAID states, whether there are indications that individuals have
- 14 been coerced into using MAID.
- 15 (12) In current MAID states, the implementation impact of MAID on healthcare
- 16 systems, institutions, and providers.
- 17 (13) In current MAID states, the impact of MAID on awareness or utilization of
- 18 hospice and palliative care as an alternative to MAID.
- 19 (14) The reasons why approximately one-third of the persons who apply for and
- 20 receive MAID drugs decide not to take them, including whether there are
- 21 psychological benefits to having MAID as a legal option even if people
- 22 ultimately decide against using or even applying for MAID.
- 23 (15) Any other areas the Department deems relevant or helpful to determining
- 24 whether to legalize MAID in North Carolina.

25 **SECTION 1.(b)** The North Carolina Institute of Medicine (NCIOM) shall, prior to  
26 submitting the report required by subsection (c) of this section, conduct at least one public hearing  
27 to ensure the general public has an opportunity to provide the NCIOM with comments regarding  
28 the advantages and disadvantages of legalizing MAID in North Carolina. The NCIOM shall  
29 provide at least 15 days' advance notice of a public hearing conducted pursuant to this subsection.  
30 All interested persons shall be heard at the public hearing.

31 **SECTION 1.(c)** By April 1, 2025, the North Carolina Institute of Medicine shall  
32 report its findings and any recommendations with respect to legalizing MAID in North Carolina,  
33 including any recommendations regarding proposed legislation, to the Joint Legislative  
34 Oversight Committee on Health and Human Services and the Department of Health and Human  
35 Services.

36 **SECTION 2.** Effective July 1, 2023, there is appropriated from the General Fund to  
37 the Department of Health and Human Services the sum of one hundred fifty thousand dollars  
38 (\$150,000) in nonrecurring funds for the 2023-2024 fiscal year to be allocated to the North  
39 Carolina Institute of Medicine to fund the study authorized by Section 1 of this act.

40 **SECTION 3.** Except as otherwise provided, this act is effective when it becomes  
41 law.