

Resolution passed at AMA House of Delegates meeting, Chicago, 12-16 June 2004

Available buried in here (as resolution 203):

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AMERICAN MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution: 203  
(A-04)

Introduced by: Illinois Delegation

Subject: Model State Execution Statutes to Exclude Health Professionals

Referred to: Reference Committee B  
(Michael J. Fischer, MD, Chair)

Whereas, Since the first widely publicized physician assisted lethal injection execution took place in Illinois in September 1990, the Illinois State Medical Society House of Delegates has played an important role in yearly protesting this unethical involvement of health professionals; and

Whereas, The Illinois State execution statute was the most egregious of all state execution statutes in that it required physician participation in lethal injection executions while stating that such participation is not a violation of the Illinois Medical Practice Act, made the details of that participation secret, and kept secret the identities of the involved physicians so that they were "not discoverable in any action of any kind in any court or before any tribunal, board, agency or person," even requiring "cash payments" be paid to the physician participants to preserve this secrecy; and

Whereas, Yearly since 1995 the ISMS has supported legislation correcting this profound aberration of state government requirement and shielding from appropriate professional censure and has led a protesting coalition of professional associations, including the American Medical Association, World Medical Association, Illinois Nurses Association, American Nurses Association, Illinois Pharmacists Association, and American College of Physicians; and

Whereas, Legislation (HB 1487/SB 0277) formally excluding health professionals from the state execution statute and correcting the shielding of unprofessional conduct from peer review was unanimously passed by the Illinois House and near unanimously passed by the Illinois Senate in spring 2003 and was signed into law by the Governor of Illinois in July 2003; and

Whereas, This legislation is a model for reform of other state and federal government execution statutes involving physicians in professionally unethical conduct; therefore be it

RESOLVED, That our American Medical Association advise other state medical societies to review their state execution statutes to ensure that professionally unethical involvement in state executions is not required or shielded from professional peer review (Directive to Take Action); and be it further

RESOLVED, That our AMA insist that the federal government assure United States physicians that professionally unethical conduct in federal executions is not required or shielded from professional peer review (Directive to Take Action); and be it further

RESOLVED, That our AMA encourage all other state medical societies to join with it, and contact the National Conference on State Legislatures to present Illinois HB 1487/SB 0277 as a model for state execution statutes. (Directive to Take Action)