



MEMORANDUM

To: All Residents

From: Wendy Wong
Executive Director

Subject: HB 2739- "Our Choice, Our Care Act" (Death with Dignity)

Date: November 12, 2018

This is to clarify the statements made in the Memorandum circulated on May 11, 2018 with respect to the Death with Dignity Act.

As the May Memo stated, Governor David Ige signed the **Our Care, Our Choice Act**, commonly referred to as the Death with Dignity Act, which becomes effective on January 1, 2019. This Act gives mentally capable, terminally ill people with six months or less to live the option to take prescription medication that enables them to die peacefully in their sleep. The Act establishes a regulatory process under which the terminally ill patient may choose to obtain a prescription for medication to end the patient's life.

The May Memo, quoted language in the Ground Lease and the Residency Agreements stating that KSLC will not permit certain activities at Kahala Nui, "including but not limited to any activity which promotes, counsels or endorses ... induced death or assisted suicide." While clearly applicable to the actions of Kahala Senior Living Community Inc., the terms of the prohibition as set forth in the May Memo specifically exempt "the individual acts, beliefs or behaviors of the Residents of Kahala Nui that are not promoted, sponsored or coordinated by KSLC...."

As you know, the facilities provided by Kahala Nui include both the Independent Living Residences and the assisted living and skilled nursing services provided at the Hi'olani Health Care Center. As expressly permitted under the Act, it will be the policy of the Hi'olani Care Center to prohibit any health care provider from participating in actions covered by the Death with Dignity Act within its premises. Exercising the provisions of the Act will not, therefore, be an option for Residents in the Hi'olani Care Center.

However, what our Independent Living Residents chose to do with respect to exercising the provisions of the Act consistent with their own beliefs and practices is a matter solely for their determination. While Kahala Nui and its staff cannot and will not

promote, coordinate or sponsor any exercise of the provisions of the Act, it will not interfere with the individual actions of Residents who chose to do so within their Independent Living Residences.

Please understand that Kahala Nui does not discriminate between Residents or applicants for residency because they agree or disagree with the position of the Catholic Church regarding induced death, assisted suicide, the exercise of the provisions of the Act or any other matter. Nor does Kahala Nui discriminate on the basis of race, religion, sex, color or any other legally protected basis.

Please feel free to contact me at X7007 should you have any questions.