



Accessing voluntary assisted dying in Western Australia

Overview of the process

Summary

This information sheet is for people who are interested in an overview of the voluntary assisted dying process in Western Australia (WA).

Key points include:

- A person must be assessed as eligible for voluntary assisted dying by a minimum of two medical practitioners (doctors) who themselves must be eligible and trained to do these assessments.
- The person's participation must remain voluntary and they can withdraw from the process at any stage.
- Key roles in the process include the Coordinating Practitioner, and Consulting Practitioner.
- The process may also include an Administering Practitioner (a medical practitioner or nurse practitioner).
- The pharmacists at the Western Australian Voluntary Assisted Dying Statewide Pharmacy Service (SWPS) are Authorised Suppliers and will supply the voluntary assisted dying substance.
- There are 10 steps in the voluntary assisted dying process. Steps 1 to 6 involve the request and assessment process. Steps 7 to 10 cover the administration process.

What is voluntary assisted dying?

Voluntary assisted dying is a legal process that enables a patient to legally access medication that will cause their death. This medication is called the voluntary assisted dying substance. The patient may choose to take the voluntary assisted dying substance themselves or may have the substance administered to them by a medical practitioner or nurse practitioner.

Where can the voluntary assisted dying process take place in WA?

Voluntary assisted dying may take place in different settings. These include at home, in a hospital, at a hospice, or in a residential aged care or supported accommodation facility. Where it takes place will depend on the preference of the person accessing voluntary assisted dying as well as the medical practitioners, nurse practitioners and services that are willing to participate. Most people will choose to die at home.

The law allows medical practitioners, nurse practitioners and other registered health professionals to refuse to participate in voluntary assisted dying. There are some health or related care services that may also choose not to participate in voluntary assisted dying if it does not align to the purpose or values of their service.

Who can be involved in the voluntary dying process in WA?

The voluntary assisted dying process will be provided by medical practitioners and nurse practitioners who have also undergone specific training. The eligibility criteria that medical practitioners and nurse

practitioners must meet ensures that they are qualified and sufficiently experienced to support someone going through the voluntary assisted dying process. The eligibility criteria are outlined in the information sheet [Voluntary assisted dying in Western Australia – Health professional participation](#).

It is important to remember that not all medical practitioners or nurse practitioners will meet the eligibility criteria. A medical practitioner or nurse practitioner may want to be involved but may not be available or eligible (e.g. if they have not been a practitioner for long enough).

A medical practitioner can take on the role of Coordinating Practitioner, Consulting Practitioner or Administering Practitioner. A nurse practitioner can take on the role of Administering Practitioner. These roles are explained later in this information sheet.

Other health professionals (e.g. nurses or allied health professionals) are not permitted to provide voluntary assisted dying assessment or administration services but they are able to support colleagues who do. They can also support patients and families who are going through the voluntary assisted dying process.

All health professionals can talk to the people they are caring for about their care needs, managing their symptoms, palliative care options, and their priorities at end of life, even if they might not want or be able to discuss voluntary assisted dying.

What does the voluntary assisted dying process in WA involve?

A person must meet **all** eligibility criteria required under the law to be able to access voluntary assisted dying. These criteria are outlined in the information sheet [Accessing voluntary assisted dying in Western Australia – Who is eligible?](#)

There are 10 steps in the voluntary assisted dying process. Steps 1 to 6 involve the request and assessment process. Steps 7 to 10 cover the administration process. A patient can stop the process at any point.



The Request and Assessment Process



1. First Request

The First Request is a request for voluntary assisted dying that is made to a medical practitioner during a medical consultation. The patient must clearly and unambiguously express to the medical practitioner that they want to access voluntary assisted dying.

The medical practitioner will decide to accept or refuse the First Request. They might refuse because they do not agree with voluntary assisted dying (they have a conscientious objection to voluntary assisted dying) or because they aren't eligible or able to accept the request. Whether they accept or refuse the First Request the medical practitioner must provide the patient with the *Approved Information for a Person Making a First Request for Voluntary Assisted Dying* information sheet.

If English is not the patient's first language or they have communication difficulties, an interpreter or communication aid can be used to make the First Request. More information is available in the information sheet *Accessing voluntary assisted dying in Western Australia – Assistance with communication*.

If the medical consultation is happening over telehealth it must occur using a videoconferencing application so that the medical practitioner can both see and hear the patient and discuss their request.



2. First Assessment

Once the medical practitioner accepts the First Request, they become the Coordinating Practitioner for the patient. In this role they will coordinate the voluntary assisted dying process for the patient. The first step for the Coordinating Practitioner is to formally assess the patient's eligibility for voluntary assisted dying to make sure they meet all the criteria required by the Act. This assessment is called the First Assessment.

If the patient disagrees with the outcome of the First Assessment, they can request a review of some of the assessment decisions by the State Administrative Tribunal (SAT). This also applies to the Consulting Assessment and the Final Review. More information on who can request a review and under what circumstances is available in the information sheet *Accessing voluntary assisted dying in Western Australia – Review of certain decisions*.



3. Consulting Assessment

If the outcome of the First Assessment is that the patient is eligible for voluntary assisted dying, the Coordinating Practitioner will refer them to another medical practitioner for assessment. This other medical practitioner becomes the Consulting Practitioner for the patient and will independently assess the patient's eligibility for voluntary assisted dying. This assessment is called the Consulting Assessment.



4. Written Declaration

If the patient has been assessed as eligible for voluntary assisted dying by both the Coordinating Practitioner and the Consulting Practitioner, the patient may then make a Written Declaration requesting access to voluntary assisted dying in the presence of two witnesses.

More information on the requirements for the Written Declaration can be found in the information sheet *Accessing voluntary assisted dying in Western Australia – Completing the Written Declaration*.



5. Final Request

If the patient has made a Written Declaration, they may then make a Final Request to the Coordinating Practitioner for access to voluntary assisted dying. The Final Request cannot be made before the end of the designated period of nine days, which begins on the day of the First Request.

If both the Coordinating Practitioner and the Consulting Practitioner believe the patient will die or lose capacity to make decisions about voluntary assisted dying before the end of the designated period, the patient may be allowed to access the voluntary assisted dying substance sooner.

The Final Request helps to ensure that the patient's decision to access voluntary assisted dying is enduring and hasn't changed. If the patient makes a valid Final Request the Coordinating Practitioner will then start the Final Review process.



6. Final Review

The Final Review requires the Coordinating Practitioner to check that the request and assessment process has been completed in accordance with the Act. This means that the Coordinating Practitioner must make sure that the patient still has decision-making capacity in relation to voluntary assisted dying, is acting voluntarily and without coercion, and still wants to access voluntary assisted dying.

It is important to remember that the patient can stop the voluntary assisted dying process at any point. There is no obligation for the patient to continue even after completing the request and assessment process.

The Administration Process



7. Administration Decision

The patient will need to decide, with the help of their Coordinating Practitioner, if they will self-administer the voluntary assisted dying substance (take it themselves) or if appropriate, have an Administering Practitioner administer it to them. The Administering Practitioner will usually be the Coordinating Practitioner. In some cases, another eligible medical practitioner or nurse practitioner can be transferred the role of Administering Practitioner for the patient.

If the patient decides to self-administer the voluntary assisted dying substance, they must appoint a Contact Person before the Coordinating Practitioner can prescribe the voluntary assisted dying substance (see Step 8 below). More information on the role and responsibilities of the Contact Person can be found in the information sheets [Accessing voluntary assisted dying in Western Australia – Choosing the Contact Person](#) and [Accessing voluntary assisted dying in Western Australia – Being the Contact Person](#).



8. Prescription

The Coordinating Practitioner will prescribe the voluntary assisted dying substance. They are required to give the patient certain information about the substance before prescribing the voluntary assisted dying substance. Unlike prescriptions for most medicines, the prescription won't be given to the patient. Instead, the Coordinating Practitioner will give the prescription directly to the Authorised Supplier at the Western Australian Voluntary Assisted Dying Statewide Pharmacy Service (SWPS).



9. Supply and use of the voluntary assisted dying substance

The voluntary assisted dying substance must not be supplied by the Authorised Supplier at SWPS unless they have received and authenticated the prescription from the Coordinating Practitioner.

If the patient has decided to self-administer, the Authorised Supplier can supply the voluntary assisted dying substance directly to the patient, their Contact person or to someone else collecting the substance on the patient's behalf. Written information about the voluntary assisted dying substance (including instructions for storage and use) will be provided by the Authorised Supplier and given to the person who collects the substance.

If the patient has decided to have the voluntary assisted dying substance administered to them by a medical practitioner or nurse practitioner (known as the Administering Practitioner), the Authorised Supplier will supply the substance directly to the Administering Practitioner (who will take responsibility for the substance until it is used).



10. Death certification

The Act requires that there be no reference to voluntary assisted dying on the patient's death certificate. This is to respect and protect the privacy of the patient (and possibly their family too). The medical practitioner who confirms and certifies the patient's death will record their underlying illness, disease or medical condition as the cause of death.

Voluntary assisted dying as a choice at end of life

End-of-life care in WA includes more than voluntary assisted dying.

A person should also consider how advance care planning and palliative care can benefit them. Any or all of these options can play an important role in how a person approaches the end of their life.

More information on end-of-life choices is available in the information sheet *Accessing voluntary assisted dying in Western Australia – Considerations at end of life*.

Where can I find out more information about voluntary assisted dying?

More information is available on the Department of Health WA website ww2.health.wa.gov.au/voluntaryassisteddying

Glossary of terms

Refer to *Accessing voluntary assisted dying in Western Australia – Glossary of terms* for explanations of key terms used within this information sheet.

Acknowledgement

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