



# Managing Voluntary Assisted Dying Policy

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## 1. Purpose

The purpose of the *Managing Voluntary Assisted Dying Policy* is to outline requirements for WA health system entities to appropriately, safely and effectively manage and respond to requests for voluntary assisted dying.

This Policy is a mandatory requirement for WA health system entities under the *Clinical Governance, Safety and Quality Policy Framework* pursuant to section 26(2)(c) of the *Health Services Act 2016*.

This Policy mandates the requirements for WA health system entities to develop local policies and procedures regarding how they will respond to patient requests for voluntary assisted dying and how they will manage voluntary assisted dying processes appropriately, safely and effectively and consistently across the WA health system.

The requirements of this Policy are in addition to the legal requirements of the *Voluntary Assisted Dying Act 2019* (which commences in full on 1 July 2021).

Legislation to be read in conjunction with this Policy includes:

- *Voluntary Assisted Dying Act 2019*
- *Medicines and Poisons Act 2014*
- *Coroners Act 1996*
- *Health and Disability Services (Complaints) Act 1995*
- *Criminal Code Act 1995 (Commonwealth)*

When developing local policies and procedures related to voluntary assisted dying, applicable Mandatory Policies include:

- MP 0084/18 Credentialing and Defining Scope of Clinical Practice Policy
- MP 0131/20 High Risk Medication Policy
- MP 0139/20 Medicines Handling Policy

## 2. Applicability

This Policy is applicable to all WA health system entities, as defined in this Policy.

To the extent that requirements contained within this Policy are applicable to the services purchased from contracted health entities, WA health system entities are responsible for ensuring these requirements are accurately reflected in the relevant contract and managed accordingly.

### 3. Policy requirements

Voluntary assisted dying allows an eligible adult to legally access the voluntary assisted dying substance that will cause their death. The person may self-administer the substance or may have the substance administered by an eligible medical practitioner or eligible nurse practitioner. A person may choose to access voluntary assisted dying in their home or may seek to access voluntary assisted dying in a facility (for example a hospital, hospice, residential care facility etc).

WA health system entities must have local policies and processes in place that ensure compliance with the following:

- the restrictions on certain health care workers initiating a discussion about voluntary assisted dying
- the obligations on medical practitioners and nurse practitioners who initiate a discussion about voluntary assisted dying
- managing requests for information about voluntary assisted dying
- managing requests for access to voluntary assisted dying
- the obligations on medical practitioners receiving a First Request for access to voluntary assisted dying
- managing requests for self-administration or practitioner administration of the voluntary assisted dying substance
- managing the voluntary assisted dying processes
- managing health care worker conscientious objection or refusal
- managing complaints related to voluntary assisted dying.

#### 3.1 Voluntary assisted dying substance

WA health system entities must ensure:

- use of the Western Australian Voluntary Assisted Dying Statewide Pharmacy Service to access the voluntary assisted dying substance
- local policies and processes for the safe management and disposal of the voluntary assisted dying substance
- adherence to the protocols detailed in the Voluntary Assisted Dying - Prescription and Administration Information document.

#### 3.2 Western Australian Voluntary Assisted Dying Statewide Pharmacy Service

The Western Australian Voluntary Assisted Dying Statewide Pharmacy Service must ensure:

- all staff members are suitably authorised, qualified and trained to dispense under the legislation.

#### 3.3 Participating practitioners

WA health system entities must ensure practitioners participating in the provision of voluntary assisted dying:

- have been confirmed as eligible to complete the mandatory WA Voluntary Assisted Dying Approved Training by the Department of Health
- have completed the mandatory WA Voluntary Assisted Dying Approved Training (valid for three years)
- have received and confirmed their understanding of the material in the Voluntary Assisted Dying - Prescription and Administration Information document

- confirm their eligibility to participate for the patient to whom they are providing voluntary assisted dying services
- are credentialed to deliver voluntary assisted dying services at Health Service Provider site(s) and have voluntary assisted dying as part of their defined scope of clinical practice at that site.

#### 4. Compliance monitoring

WA health system entities are responsible for ensuring complying with this Policy.

The System Manager, through the Clinical Excellence Division, Department of Health will ensure compliance by confirming, prior to commencement of the Act and every 12 months thereafter, that WA health system entities have implemented local policies and processes that comply with the minimum requirements as set out in this Policy. The System Manager may carry out compliance audits to ascertain the level of Health Service Provider compliance with this Policy.

The System Manager may request that WA health system entities submit evidence of compliance with the requirements of this Policy. In such cases, the System Manager will work with WA health system entities to agree on the information and timeframes within which this is provided.

#### 5. Related documents

The following document is mandatory pursuant to this Policy:

- Voluntary Assisted Dying - Prescription and Administration Information.

This is a restricted document and is mandatory only to eligible medical practitioners and eligible nurse practitioners that have completed the mandatory Voluntary Assisted Dying Approved Training. A hard copy will be provided to the Director of Clinical Services at each Health Service Provider.

#### 6. Supporting information

The following information is not mandatory but informs and/or supports the implementation of this Policy:

- [WA Voluntary Assisted Dying Guidelines](#)
- [Voluntary Assisted Dying Safety and Quality Guidance for WA Health Services](#)
- [Western Australian Voluntary Assisted Dying Statewide Care Navigator Service](#)
- [CEO Practitioner Eligibility Requirements](#)
- [WA Voluntary Assisted Dying Approved Training](#)

#### 7. Definitions

The following definitions are relevant to this Policy.

Term	Definition
Eligible adult	A person who meets all eligibility criteria listed under section 16(1) of the <i>Voluntary Assisted Dying Act 2019</i> .
Eligible medical practitioner	A medical practitioner who meets the eligibility criteria listed under section 17 of the <i>Voluntary Assisted Dying Act</i>

	2019 and who has successfully completed the WA Voluntary Assisted Dying Approved Training.
Eligible nurse practitioner	A nurse practitioner who meet the eligibility criteria listed under section 54 of the <i>Voluntary Assisted Dying Act 2019</i> and who has successfully completed the WA Voluntary Assisted Dying Approved Training.
First Request	A clear and unambiguous request for access to voluntary assisted dying made to a medical practitioner during a medical consultation under section 18 of the <i>Voluntary Assisted Dying Act 2019</i> .
Practitioner administration	The process whereby a person assessed as eligible for voluntary assisted dying, and who has made a practitioner administration decision, is administered the voluntary assisted dying substance by the Administering Practitioner.
Self-administration	The process whereby a person assessed as eligible for voluntary assisted dying, and who has made a self-administration decision, prepares and ingests the voluntary assisted dying substance.
Western Australian Voluntary Assisted Dying Statewide Care Navigator Service	The service established to provide a statewide point of contact for information and assistance relating to voluntary assisted dying in Western Australia.
Voluntary assisted dying	Means the administration of a voluntary assisted dying substance and includes steps reasonably related to that administration as per the <i>Voluntary Assisted Dying Act 2019</i> .
WA health system entity	<ul style="list-style-type: none"> <li>• All Health Service Providers as established by an order made under section 32(1)(b) of the <i>Health Services Act 2016</i></li> <li>• Department of Health as an administrative division of the State of Western Australia pursuant to section 35 of the <i>Public Sector Management Act 1994</i>.</li> </ul> <p>Note: Contracted health entities are not considered WA health system entities.</p>
WA Voluntary Assisted Dying Approved Training	The mandatory training that must be completed before a medical practitioner or nurse practitioner can carry out assessment and administration actions under the <i>Voluntary Assisted Dying Act 2019</i> .
Western Australian Voluntary Assisted Dying Statewide Pharmacy Service	The statewide service established to ensure the voluntary assisted dying substance is provided in a safe, equitable, and patient-centred manner.

## 8. Policy contact

Enquiries relating to this Policy may be directed to:

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## 9. Document control

Version	Published date	Effective from	Review date	Effective to	Amendment (s)
MP 0154/21	22 April 2021	1 July 2021	July 2024	Current	Original version

## 10. Approval

Approval by	Nicole O'Keefe, Assistant Director General, Strategy and Governance Division, Department of Health
Approval date	13 April 2021

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