PHYSICIAN AID-IN-DYING

PURPOSE:
To define state laws regarding physician aid-in-dying and provide direction to our staff on our role in supporting patients and families who are considering participating in the activities under one of these laws.

BACKGROUND:
Various states have passed laws involving physician aid-in-dying, which give qualified terminally ill persons the right to request life-ending medication from their doctor, and to administer this medication to their own self. Each law generally outlines a process a person must legally follow, and includes significant safeguards intended to protect persons from coercion.

A foundational tenet of hospice care is that hospice providers do not intentionally hasten the death of a patient; however, Seasons team members are welcome to talk to patients and others about their state-approved Act and are encouraged to provide educational, emotional, and spiritual support to those considering this option. Discussion of laws regarding physician aid in dying, or even implementing it, would not be a reason to discharge a patient from our services.

Seasons team members are not required to participate in any aspect of an individual’s decision to exercise his/her rights under state laws regarding physician aid-in-dying, and may request to be withdrawn from the care of a person considering following such a law.

PROTOCOL:
1. If a patient or family member wishes to discuss their state-approved physician aid-in-dying law, Seasons team members may provide education about the provisions of that law and direct them to Compassion and Choices Advocacy Group (www.compassionandchoices.org) or a recognized group for more information. Any Seasons team member who wishes to be withdrawn from the care of the patient may request this from their team director at any time.

2. The Seasons team members will communicate to the patient/patient representative our Seasons Hospice’s limitations in participating in the activities under this type of law.

3. The Seasons team members will advise the patient to discuss wishes with their attending physician. The assigned Seasons team members will be informed that the patient is considering obtaining physician aid-in-dying pursuant to state law.
4. The Seasons team members will inform the patient/patient representative of their right to continue hospice care and receive all services throughout the process.

5. When applicable, the Seasons team members will inform the facility staff of any communications related to physician aid in dying.

6. If a Seasons team member is aware that a formal request has been made to the physician, the team director (and facility, if appropriate) will be immediately notified.

7. The assigned Seasons team members will meet to discuss care plan needs with the clinical director.

8. Seasons team members will explain to the patient that Seasons Hospice is required to follow state law with regard to life sustaining treatment if a Do Not Resuscitate order is not obtained.

   a. CA sites only: The medical director or team physician will review the Standing Education on Overdose Prevention and Use of Narcan letter with the patient and/or designee. After review, the physician will complete form and file one copy in the patient home/facility chart and bring the other copy to the office for the Team Assistant to file in the patient paper chart. This step must be completed even if it was previously completed.

9. Seasons team members will not participate in requesting, ordering or filling the order for the aid-in-dying drug. If the attending physician is a Seasons employee, it will be at his/her discretion whether to participate or not.

10. If a patient or patient’s representative requests that Seasons team members be present when aid-in-dying medication is self-administered, at least two Seasons team members must attend.

11. Seasons team members present with the patient/family at the time of the death will document in the appropriate visit profile for their discipline. Documentation must indicate:

   a. Confirmation that patient appeared to have decisional capacity prior to self-administering physician aid-in-dying medications;

   b. Medication and dose taken by the patient;

   c. Location/setting;

   d. Who was present with patient; and

   e. Approximate time of death.
12. Seasons team members will be available to the patient and family immediately following the administration to offer support as requested.

13. After a death:

   a. Follow Seasons Hospice procedures as customary at the time of death, noting the particular circumstances of the death and potential needs of the family.

   b. Notify the attending physician, if not present, of the death.

   c. A meeting may be held, consisting of the involved Seasons team members and other interested parties, to debrief and review the case.