

Basic Facts Physicians Need to Know

End of Life Option Act:

This law takes effect in California on June 9, 2016.

A patient's request for an aid-in-dying drug

An adult (age 18 or older) requesting a prescription for an aid-in-dying drug must:

- Have the capacity to make medical decisions.
- Receive a diagnosis from an attending physician of a terminal disease that cannot be cured and is expected to result in death within six months.
- See a consulting physician who confirms the attending physician's diagnosis.
- Prove California residency.
- Make two voluntary oral requests, with a minimum of 15 days apart, for an aid-in-dying drug directly to an attending physician.
- Make a voluntary written request for an aid-in-dying drug to an attending physician that is witnessed by at least two adults (only one witness can be related to the patient).
- Use the specific forms designed for the law.
- Have the physical and mental ability to self-administer the aid-in-dying drug.

An attending physician's responsibilities

Before prescribing an aid-in-dying drug, the attending physician must:

- Determine whether the patient is an adult "qualified" to receive an aid-in-dying drug under the End of Life Option Act.
- Confirm that the patient is making an informed decision.
- Refer the patient to a consulting physician.
- Confirm that the patient has not been coerced or unduly influenced.
- Counsel the patient.
- Let the patient know that he or she can withdraw the request at any time.
- Provide an opportunity to the patient to withdraw the request for an aid-in-dying drug before prescribing the drug.
- Verify before writing the prescription that the patient is making an informed decision.
- Confirm that all of the law's requirements and steps have been carried out before writing the prescription.
- Fulfill all documentation requirements.
- Complete the attending physician checklist and compliance form and place it, along with the consulting physician form, in the patient's medical record.
- Submit the attending physician form, the consulting physician form and the patient's written request to CDPH.
- Give the requesting patient the Final Attestation Form and explain how to complete it.

A consulting physician's responsibilities

A consulting physician must:

- Examine the referred patient and his or her relevant medical records.
- Confirm in writing the attending physician's diagnosis and prognosis.
- Determine that the patient has the capacity to make medical decisions, is acting voluntarily and has made an informed decision.
- Refer the patient to a mental health specialist for an assessment if there are indications of a mental disorder.
- Fulfill the Act's record documentation.
- Complete the consulting physician form and submit it to the attending physician.

For more detailed information, go to sutterhealth.org/ELOA.