

VOLUNTARY ASSISTED DYING

Voluntary assisted dying in WA is governed by the *Voluntary Assisted Dying Act 2019*.

The *Voluntary Assisted Dying Bill 2019* was introduced to the Parliament of Western Australia on 7 August 2019 by the Minister for Health, Roger Cook and passed on 19 December 2019. The *Voluntary Assisted Dying Act 2019* became operative on and from 1 July 2021.

The purpose of this Act is to provide for and regulate access to Voluntary Assisted Dying and to establish the Voluntary Assisted Dying Board.

Voluntary Assisted Dying

To view the *Voluntary Assisted Dying Bill 2019* go to:

https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a147242.html

What are the eligibility criteria to access Voluntary Assisted Dying in WA?

The eligibility criteria to access Voluntary Assisted Dying in Western Australia is located at Section 16 in the *Voluntary Assisted Dying Bill 2019*.

To access Voluntary Assisted Dying you must, under Section 16 of the Bill:

- Be aged 18 years old and over
- Be an Australian citizen or permanent resident of Australia who has been ordinarily resident in WA for a minimum 12 months
- Be diagnosed with at least 1 disease, illness or medical condition that is:
 - Advanced, progressive and will cause death
 - Will on the balance of probabilities cause death within 6 months (or 12 months for neurodegenerative diseases)
 - Is causing suffering that cannot be relieved in a manner that you consider tolerable
- You must make three (3) separate requests: a first request, a written declaration and a final request
- Have decision-making capacity in relation to voluntary assisted dying
- Be acting voluntarily and without coercion

- Have an enduring request for access to Voluntary Assisted Dying

Further, to access Voluntary Assisted Dying you must meet the following under Sections of the Bill:

- Make the first request to a registered medical practitioner: Section 18
- Participate in two different assessments by two different medical practitioners (who must have undergone mandatory training) to assess your eligibility: Sections 24-41
- Upon completion of the two different assessments, be informed of your diagnosis and prognosis, the treatment options available to you (including palliative care), and the potential risks and expected outcome of voluntary assisted dying: Sections 27, 30, 38
- Make a written declaration which must be witnessed in the presence of two (2) people: Sections 42, 44
- Health practitioners are able to refuse to participate for any reason (including conscientious objection): Section 9
- The voluntary assisted dying substance may be through self-administration or practitioner administration: Sections 56, 58, 59

Can Healthcare Workers initiate a conversation about Voluntary Assisted Dying in WA?

Under Section 16 of the *Voluntary Assisted Dying Bill 2019* a healthcare worker (for example, a doctor or nurse) cannot initiate a conversation, or in substance suggest about voluntary assisted dying in Western Australia to you. However, a healthcare worker may initiate a conversation with you about palliative care and treatment options available to you.



For further details about Voluntary Assisted Dying in WA

If you want to talk to someone about Voluntary Assisted Dying, contact the WA Voluntary Assisted Dying State-wide Care Navigator Service. This is a free service established to assist all Western Australians with any aspects of Voluntary Assisted Dying.

The WA Voluntary Assisted Dying State-wide Care Navigator Service (SWCNS) is available to provide support to anyone involved with voluntary assisted dying in WA. This includes patients, the family and carers of patients, members of the community, health professionals and service providers. The service is nurse-led and staffed by Care Navigators who are experienced health professionals. The State-wide Care Navigator Service does not charge fees for its services.

WA State-wide Care Navigator Service

T: 08 9431 2755

Address: P.O. Box 8172 Perth Business Centre, Perth WA 6949

E: [Voluntary Assisted Dyingcarenavigator@health.wa.gov.au](mailto:VoluntaryAssistedDyingcarenavigator@health.wa.gov.au)

https://ww2.health.wa.gov.au/Articles/U_Z/Voluntary-assisted-dying/Statewide-Care-Navigator-Service

To access the information sheet: 'What is the Western Australian Voluntary Assisted Dying State-wide Care Navigator Service?' go to:

<https://ww2.health.wa.gov.au/~media/Corp/Documents/Health-for/Voluntary-assisted-dying/Care-Navigator-Service.pdf>

