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SA Health

Policy

Voluntary Assisted Dying

Version 1.0

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Government
of South Australia

SA Health

1. Name of Policy

Voluntary Assisted Dying

2. Policy statement

The purpose of the Voluntary Assisted Dying Policy is to outline requirements for SA Health to appropriately, safely and effectively comply with the *Voluntary Assisted Dying Act 2021* (the Act).

3. Applicability

This policy applies to all employees, volunteers and contracted staff of SA Health; that is all employees and contracted staff of the Department for Health and Wellbeing, Local Health Networks (including state-wide services aligned with those networks) and SA Ambulance Service. All public hospitals in South Australia will provide safe access to voluntary assisted dying.

4. Policy principles

SA Health's approach to voluntary assisted dying is underpinned by the following principles:

- > We will uphold the principles of the *Voluntary Assisted Dying Act 2021*.
- > We will support staff with appropriate education regarding their obligations, roles and responsibilities under the Act.
- > We will provide the necessary resources and infrastructure to facilitate access to voluntary assisted dying and compliance with the Act.
- > We will ensure transparency and accountability in facilitating access to and reporting on voluntary assisted dying across South Australia.
- > We will work with all health sectors to safely and effectively facilitate access to voluntary assisted dying.

5. Policy requirements

Voluntary assisted dying is a process that enables an eligible person to access and self-administer, or in some circumstances have a medical practitioner administer, a substance that will cause their death. An eligible adult may choose to access voluntary assisted dying in the community or seek to access voluntary assisted dying whilst residing in a facility, such as a hospital or residential aged care facility.

Local Health Networks (LHNs) must establish local policies and procedures to ensure:

- > Access to voluntary assisted dying is facilitated within SA Health facilities and access is managed in accordance with the Act.
- > Medical practitioners who act as coordinating or consulting medical practitioners are aware of and comply with their obligations under the Act.
- > Registered health practitioners comply with legislative requirements which prohibit them from initiating a discussion about voluntary assisted dying.
- > All other employees and contracted staff of SA Health comply with the mandatory instruction (Appendix 1) which prohibits them from initiating a discussion about voluntary assisted dying
- > Information about voluntary assisted dying, when requested by a person, is accessible within SA Health facilities and information is provided in accordance with the Act.
- > Registered health practitioners who have a conscientious objection to voluntary assisted dying are supported to exercise their right to refuse to participate in voluntary assisted dying.

- > All other employees and contracted staff of SA Health who have a conscientious objection to voluntary assisted dying are supported to exercise their right to refuse to participate in voluntary assisted dying.

5.1 Voluntary assisted dying substance

LHNs must ensure:

- > Access to the voluntary assisted dying substance only occurs through the dispensing of a prescription by the South Australian Voluntary Assisted Dying Pharmacy Service.
- > Local procedures are established to ensure safe management and disposal of the voluntary assisted dying substance in accordance with the Act.
- > Adherence to protocols detailed in the *South Australian Voluntary Assisted Dying Prescription and Administration Handbook*.
- > Local procedures are established to ensure patients who are the subject of a self-administration permit can maintain physical custody and control of their voluntary assisted dying substance throughout their hospital admission. LHN staff may request a patient voluntarily provides their voluntary assisted dying substance for storage within the hospital as a Schedule 8 medication but must ensure that local procedures do not withhold or delay their access to the voluntary assisted dying substance should the patient ask that it be returned to their possession.

5.2 South Australian Voluntary Assisted Dying Pharmacy Service

The South Australian Voluntary Assisted Dying Pharmacy Service must ensure:

- > Pharmacy service staff are appropriately authorised, qualified and trained to dispense and dispose of the voluntary assisted dying substance in accordance with the Act.
- > Procedures are established to ensure safe management, dispensing and disposal of the voluntary assisted dying substance in accordance with the Act.
- > Access to the voluntary assisted dying substance is provided to persons subject to a voluntary assisted dying permit, regardless of where they reside in South Australia.

5.3 South Australian Voluntary Assisted Dying Care Navigator Service

The South Australian Voluntary Assisted Dying Care Navigator Service must ensure:

- > Information provided by Care Navigators regarding end of life care services is accurate, up to date and accessible.
- > Pathways are established to connect patients with medical practitioners who are eligible to act as coordinating or consulting medical practitioners.
- > Procedures are established to support transfer of patients accessing voluntary assisted dying between LHNs if required to support access to voluntary assisted dying.
- > Access to the Regional Patient Support Scheme is provided for patients living in regional and remote South Australia in accordance with the relevant procedures.

5.4 Participating medical practitioners

LHNs must ensure that medical practitioners participating in voluntary assisted dying:

- > Are eligible to act as either a coordinating medical practitioner or consulting medical practitioner in accordance with the Act.
- > Register as a coordinating or consulting medical practitioner through the Voluntary Assisted Dying Clinical Portal.
- > Complete the Mandatory Voluntary Assisted Dying Training for Medical Practitioners.

- > Are eligible to act as either a coordinating medical practitioner or consulting medical practitioner for each individual patient for whom they are facilitating access to voluntary assisted dying.
- > Are credentialed to facilitate access to voluntary assisted dying within their LHN sites and voluntary assisted dying is within their defined scope of clinical practice at that site.

6. Mandatory related documents

The following documents must be complied with under this Policy:

- > [Voluntary Assisted Dying Act 2021](#)
- > [Voluntary Assisted Dying Regulations 2022](#)
- > South Australian Voluntary Assisted Dying Clinical Guidelines
- > South Australian Voluntary Assisted Dying Prescription and Administration Handbook

7. Supporting information

The following information informs and/or supports the implementation of this Policy:

- > [Consent to Medical Treatment and Palliative Care Act 1995](#)
- > [SA Health Coronial Process and Coroners Act 2003 Policy Directive](#)
- > [SA Health Information Sharing Guidelines](#)
- > [SA Health Equity of Access to Health Care Policy Directive](#)
- > [SA Health Consent to Medical Treatment and Health Care Policy Guideline](#)

8. Definitions

- > **Conscientious objection:** When a person or health service declines to participate in a treatment or process due to religious, moral or ethical beliefs.
- > **Consulting medical practitioner:** A registered medical practitioner who accepts a referral to conduct a consulting assessment of a patient seeking access to voluntary assisted dying.
- > **Coordinating medical practitioner:** A registered medical practitioner who accepts a patient's First Request for voluntary assisted dying, or a consulting medical practitioner who accepts a transfer of the role of a coordinating medical practitioner for a patient seeking access to voluntary assisted dying.
- > **Eligible person:** A person who meets all eligibility criteria set out in section 26 of the Act; specifically a person who is:
 - aged 18 years or more; and
 - an Australian citizen or permanent resident; and
 - ordinarily resident in South Australia; and
 - at the time of making a first request, have been ordinarily resident in South Australia for at least 12 months; and
 - has decision making capacity in relation to voluntary assisted dying; and
 - diagnosed with a disease, illness or medical condition that
 - is incurable; and
 - is advanced, progressive and will cause death; and
 - is expected to cause death within weeks or months, not exceeding 6 months (or 12 months for neurodegenerative condition); and

- is causing suffering to the person that cannot be relieved in a manner that the person considers tolerable; and
 - acting freely and without coercion.
- > **Health practitioner (registered):** A person who is registered under the Health Practitioner Regulation National Law to practice a health profession, including medical practitioners, nurses, allied health practitioners, pharmacists and paramedics.
 - > **Mandatory instruction:** A document which outlines prescriptive information regarding how a policy must be implemented to support compliance.
 - > **Medical practitioner:** A person who is registered with the Medical Board of Australia through the Australian Health Practitioner Regulation Agency (AHPRA).
 - > **State-wide services:** Means Statewide Clinical Support Services, Prison Health, SA Dental Service, BreastScreen SA, SA Pharmacy and any other state-wide services that fall under the governance of the Local Health Networks.

Further definitions can be found under section 3 of the *Voluntary Assisted Dying Act 2021*.

9. Compliance

This policy is binding on those to whom it applies or relates. Implementation at a local level may be subject to audit/assessment. The Domain Custodian must work towards the establishment of systems which demonstrate compliance with this policy, in accordance with the requirements of the [System-wide Integrated Compliance Policy](#).

Any instance of non-compliance with this policy should be reported within the Local Health Network, and to the Domain Custodian for the Clinical Governance Safety and Quality Policy Domain and the Domain Custodian for the Risk, Compliance and Audit Policy Domain.

10. Document ownership

Policy owner: Executive Director, Provider Commissioning and Performance as Domain Custodian for Clinical Governance Safety and Quality Policy Domain

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11. Document history

Version	Date approved	Approved by	Amendment notes
1.0	10/01/2023	Deputy Chief Executive, Commissioning and Performance	New policy approved for publishing and distribution

12. Appendices

1. *Voluntary Assisted Dying Mandatory Instruction*

Appendix 1: Voluntary Assisted Dying Mandatory Instruction

The following Instruction must be complied with to meet the requirements of the Voluntary Assisted Dying Policy.

1. Initiating discussions about voluntary assisted dying

All employees, volunteers and contracted staff of SA Health who are providing services to a person must not, in the course of providing those services to the person:

- (a) initiate discussion with that person that is in substance about voluntary assisted dying; or
- (b) in substance, suggest voluntary assisted dying to that person.

Employees, volunteers and contracted staff of SA Health may provide information about voluntary assisted dying to a person at that person's request.