Providing voluntary assisted dying in Western Australia

Health professional participation

Summary

This information sheet is for health professionals (such as medical practitioners, nurse practitioners, nurses, pharmacists, allied health professionals and others) who want to know more about participating in the voluntary assisted dying process when it becomes a legal option for eligible Western Australians from 1 July 2021.

Key points include:

- Health professionals are not required to participate in the voluntary assisted dying process but should be aware of the voluntary assisted dying legislation and its requirements.
- The voluntary assisted dying legislation allows medical practitioners and nurse practitioners who meet the eligibility criteria, and who have completed approved training, to participate in the voluntary assisted dying process.
- Other health professionals can support patients seeking voluntary assisted dying, and colleagues providing voluntary assisted dying, but cannot provide assessment or administration services.
- All health professionals can provide information about voluntary assisted dying to someone who has requested it, or answer questions about voluntary assisted dying that have been asked of them, provided they are comfortable doing so.
- Only medical practitioners and nurse practitioners can initiate a discussion about voluntary assisted dying with a person, if at the same time they also inform the person about their treatment and palliative care options and the likely outcomes of that care and treatment.
- Any medical practitioner who receives a request for access to voluntary assisted dying (known as a First Request) must provide the person making the request with the Approved Information for a Person Making a First Request for Voluntary Assisted Dying information sheet.
- Any medical practitioner who receives a First Request must notify the Voluntary Assisted Dying Board by completing and submitting a First Request form, regardless of the eligibility of the request or the response of the medical practitioner.

Voluntary assisted dying in WA

The Voluntary Assisted Dying Act 2019 is the legislation that regulates voluntary assisted dying in Western Australia (WA). Health professionals should be aware of the voluntary assisted dying legislation and its requirements.

Voluntary assisted dying allows an eligible person to legally access medication that will cause their death. This medication is called the voluntary assisted dying substance. The person may choose to take the voluntary assisted dying substance themselves or may have the substance administered to them by an eligible medical practitioner or nurse practitioner.
A person must meet all eligibility criteria to be able to access voluntary assisted dying. The information sheet Accessing voluntary assisted dying in Western Australia – Who is eligible? outlines these eligibility criteria in detail.

**Which health professionals can participate in voluntary assisted dying in WA?**

The legislation allows medical practitioners and nurse practitioners who meet the eligibility criteria, and who have completed the approved training, to participate in the voluntary assisted dying process.

Medical practitioners who are eligible and have completed the training can take the role of:

- Coordinating Practitioner
- Consulting Practitioner
- Administering Practitioner

Nurse practitioners who are eligible (including having completed the approved training) can take the role of Administering Practitioner.

These roles are detailed further in the information sheet Accessing voluntary assisted dying in Western Australia – Overview of the process.

I am a medical practitioner. Can I participate in voluntary assisted dying?

To participate in voluntary assisted dying as a medical practitioner you must:

- hold a specialist registration (and have practised for at least one year); or
- hold a general registration (and have practised for at least 10 years); or
- be an overseas-trained specialist with limited or provisional registration; and
- meet the requirements of the CEO.

As a medical practitioner you must also ensure you:

- are not a family member of the patient; and
- do not know or believe that you are a beneficiary under the will of the patient or may otherwise benefit financially from the death of the patient (other than by receiving reasonable fees for the provision of services related to your role in the process).

Prior to conducting an assessment to determine if a person is eligible for voluntary assisted dying, you must successfully complete the approved training. You will need to apply to the Department of Health to access the training which will be delivered online. More information on this process will be made available when the approved training is scheduled to commence.

I am a nurse practitioner. Can I participate in voluntary assisted dying?

To participate in voluntary assisted dying as a nurse practitioner you must:

- have practised as a nurse practitioner for at least two years; and
- meet the requirements of the CEO; and
- have completed the approved online training.

You will need to apply to the Department of Health to access the training. More information on this process will be made available when the approved training is scheduled to commence.
What are the ‘requirements of the CEO’ that medical practitioners and nurse practitioners need to meet?
These requirements are approved by the Director General of the Department of Health (as the CEO) to ensure that practitioners are suitably qualified to support a patient through the voluntary assisted dying process. These requirements will be published on the Department of Health website ahead of the release of the approved training.

I am not a medical practitioner or a nurse practitioner. What roles do other health professionals have in voluntary assisted dying?
Some health professionals, in addition to medical practitioners and nurse practitioners, will have specific roles. For example, a limited number of designated pharmacists will be responsible for supplying the voluntary assisted dying substance.

Other health professionals will not be responsible for providing voluntary assisted dying but may support their medical practitioner and nurse practitioner colleagues who do.

All health professionals can provide care to patients who have requested access to voluntary assisted dying, or who are considering requesting access to voluntary assisted dying and provide support to their families.

Will the health service I work for participate in voluntary assisted dying?
That will depend on the service.

Whether a service participates in voluntary assisted dying will likely depend on whether they have staff with appropriate skills and expertise, whether they have the capacity to provide voluntary assisted dying, and whether participation aligns with the values of the service.

Internal discussions within the service will help to determine the level of involvement that the service will have and how patients and families can be supported.

Can I choose whether to participate in voluntary assisted dying?
Yes. Participation in the voluntary assisted dying process is a choice.

Whether you participate in the process, or support colleagues who do, will depend on your skills and training as well as your eligibility, availability and willingness to be involved.

You can also choose the level of involvement you have with voluntary assisted dying. For example, you may only be comfortable providing a patient with general information.

What if I hold a conscientious objection to voluntary assisted dying?
If you conscientiously object to voluntary assisted dying you are under no obligation to participate in the process. However, you must not inhibit a person's access to voluntary assisted dying.

If you are a medical practitioner, you should be aware of your obligations under the legislation if a patient asks you for access to voluntary assisted dying.

What obligations do health professionals have regarding a request for access to voluntary assisted dying?
Only medical practitioners can receive a formal request for access to voluntary assisted dying (known as a First Request). If a person makes a First Request to any other health professional, the person should be informed that they must make their request to a medical practitioner.

Under the legislation, all medical practitioners (including those who are not eligible, able or willing to deliver voluntary assisted dying) must do three things in response to a First Request:

1. They must make a decision to accept or refuse the first request within the required timeframe –
either within two (2) business days of the request (not counting the day the request was made) or immediately if they conscientiously object to voluntary assisted dying.

2. They must notify the Voluntary Assisted Dying Board by completing and submitting a First Request form.

3. They must provide the person with the Approved Information for a Person Making a First Request for Voluntary Assisted Dying information sheet.

Next steps will depend on the person’s eligibility to access voluntary assisted dying and the medical practitioner’s eligibility, availability and willingness to provide voluntary assisted dying.

**Voluntary assisted dying commences in WA on 1 July 2021, what can I do now to prepare?**

If you are interested in participating in or supporting voluntary assisted dying you can consider whether you have appropriate skills and expertise to participate, and whether you are likely to meet any necessary eligibility criteria.

It may be worthwhile to find opportunities to improve your skills in areas that will support your participation, such as managing difficult conversations with patients, their carers and families.

If you are employed by a service, you can find out what the service’s approach to voluntary assisted dying will likely be and how the service will (or will not) support your participation.

If you will not be participating in or supporting voluntary assisted dying, you should consider what systems and processes are needed in your workplace to manage requests for information about, or access to, voluntary assisted dying.

The information sheet *Providing voluntary assisted dying in Western Australia – FAQs for health professionals* may also address questions you have in the lead up to the legislation commencing.

**Where can I find further information about voluntary assisted dying?**

The implementation of voluntary assisted dying is being advised and supported by an Implementation Leadership Team. The Implementation Leadership Team and the Department of Health are developing a range of materials to support health practitioners and services with the implementation of the voluntary assisted dying legislation.

- Further information can be found at: [ww2.health.wa.gov.au/voluntaryassisteddying](http://ww2.health.wa.gov.au/voluntaryassisteddying)

**Glossary of terms**

Refer to *Accessing voluntary assisted dying in Western Australia - Glossary of terms* for explanations of key terms used within this information sheet.

**Acknowledgement**

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