Accessing voluntary assisted dying in Western Australia

Who is eligible?

Summary

This information sheet is for people who want to know more about who will be eligible to access voluntary assisted dying when it becomes a legal option in Western Australia (WA) on 1 July 2021.

Key points include:

- Voluntary assisted dying allows an eligible person to legally access medication that will cause their death. It is intended to be accessible for anyone who is eligible.
- A person must meet all eligibility criteria to be able to access voluntary assisted dying (the criteria are outlined in this information sheet).
- If you would like more information about voluntary assisted dying, you can talk to a medical practitioner (doctor) or another health professional involved in your care.
- You will also be able to contact the Statewide VAD Care Navigator Service for help or information from 1 July 2021.

What is voluntary assisted dying?

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.

From 1 July 2021, WA will become the second state in Australia to allow voluntary assisted dying, the first being Victoria. From this date, eligible Western Australians will be able to request access to voluntary assisted dying as an option at end-of-life.

Who will be able to access voluntary assisted dying?

The Voluntary Assisted Dying Act 2019 is the law that regulates voluntary assisted dying in WA. The law requires that a person must meet all the following criteria to be eligible for voluntary assisted dying:

- The person has reached 18 years of age;
- The person is an Australian citizen or permanent resident;
- At the time of making a first request (for voluntary assisted dying), the person has been ordinarily resident in Western Australia for a period of at least 12 months;
- The person is diagnosed with at least 1 disease, illness or medical condition that-
  - is advanced, progressive and will cause death; and,
  - will, on the balance of probabilities, cause death within a period of 6 months or, in the case of a disease, illness or medical condition that is neurodegenerative, within a period of 12 months; and,
is causing suffering to the person that cannot be relieved in a manner the person considers tolerable;
- The person has decision-making capacity in relation to voluntary assisted dying;
- The person is acting voluntarily and without coercion;
- The person's request for access to voluntary assisted dying is enduring.

It is important to remember that even if a person appears to meet all the eligibility criteria, the process for accessing voluntary assisted dying cannot begin before 1 July 2021.

**Who can I talk to about voluntary assisted dying?**

If you think you may be eligible for voluntary assisted dying and would like more information about the process, you can speak with a medical practitioner or another health professional involved in your care (e.g., nurse, social worker etc.).

While medical practitioners and nurse practitioners can raise the topic of voluntary assisted dying with you in certain circumstances, the law does not allow other health professionals to raise the topic with you. This means that you will need to be the one to start the conversation.

You can talk to a health professional about voluntary assisted dying in person or during a telehealth appointment (e.g., phone or videoconference).

If a health professional does not agree with voluntary assisted dying, often called conscientious objection, they may suggest you talk with someone else. If they do not directly refer you to another health professional, you can contact the Statewide VAD Care Navigator Service which will be able to help you from 1 July 2021.

**What is the Statewide VAD Care Navigator Service?**

The Statewide VAD Care Navigator Service has been specifically established to support anyone involved with voluntary assisted dying in WA including health professionals, service providers, patients and members of the community.

The Care Navigators will be able to:
- provide general information about voluntary assisted dying
- provide specific information about the voluntary assisted dying process in WA
- help to locate a medical practitioner who is willing and eligible to participate
- assist eligible people to access regional support packages
- link to helpful resources

The Care Navigators can assist patients and members of the community from 1 July 2021.

**Where else can I get information?**

As well as talking to the people involved in your care, there are other sources that can provide useful information about voluntary assisted dying in WA. There is detailed information available on the Department of Health website.


In addition, illness specific organisations and voluntary assisted dying support groups may also be able to help.

If you would like more information about the voluntary assisted dying process, the information sheet *Accessing voluntary assisted dying in Western Australia – Overview of the process* outlines the key steps and roles involved in WA.
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

Some content in this document is based on the resources of the Victorian Department of Health and Human Services and has been used with permission.