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3.2.1 VOLUNTARY ASSISTED DYING (VAD): DYING WITH DIGNITY

3.2.1.1 OVERVIEW

This policy outlines the principles and responsibilities to ensure that care recipients receive high-quality, person-centred care and services that respects their dignity and autonomy.

Illawarra Diggers is committed to ensuring all care recipients are supported in making informed decisions and understanding their medical treatment options while being treated with dignity and respect in regard to their choices. Voluntary Assisted Dying (VAD) is a choice available to an eligible person who is approaching the end of their life and is a permanent resident of Illawarra Diggers at the time of the request.

This policy is specific to Voluntary Assisted Dying (VAD) NSW legislation.

3.2.1.2 VOLUNTARY ASSISTED DYING (VAD)

Voluntary assisted dying means an eligible person can ask for medical help to end their life. The person must be in the late stages of an advanced disease, illness or medical condition. They must also be experiencing suffering they find unbearable.

If a person meets all the criteria and the steps set out in the law are followed, they can take or be given a voluntary assisted dying substance to bring about their death at a time they choose. The substance must be prescribed by a doctor who is eligible to provide voluntary assisted dying services.

'Voluntary' means the choice must be the person's own. Only the person who wants voluntary assisted dying can ask for it. The person must have decision making capacity throughout the entire process to access voluntary assisted dying. It is against the law to pressure someone to ask for voluntary assisted dying. The NSW Legislation has safeguards in place to make sure the person is protected.

Voluntary Assisted Dying (VAD) refers to the assistance provided to a person by a health practitioner to end their life. It includes:

1. 'self-administration', where the person takes the VAD medication themselves (this is sometimes called physician-assisted suicide or dying); and
2. 'practitioner administration', where the person is given the substance by a doctor (this is sometimes called voluntary euthanasia).

If a person meets all the criteria, and the process is followed, they can take or be given a voluntary assisted dying substance to bring about their death at a time they choose. The substance must be prescribed by an authorised voluntary assisted dying practitioner.

A care recipient must remain able to provide consent and have capacity throughout the whole process of accessing VAD. If a care recipient is deemed to have lost capacity during the process, they will no longer be eligible to continue. This will be determined by the trained medical practitioners in VAD during the process of access.

In keeping with the Board's policy *"C.06 Voluntary Assisted Dying (VAD) Policy"* Illawarra Diggers will facilitate the provision of information regarding VAD services when requested and will support the permanent resident in accessing VAD services, but will not promote VAD to any residents or families.

Illawarra Diggers will not support the provision of VAD services to respite residents. In the case where a respite resident has already qualified for the VAD services before entry, Illawarra Diggers will not store VAD substances for respite residents and staff will not be present when a VAD substance is administered (other than in a private capacity).

Staff will respond compassionately and respectfully to all residents seeking or enquiring about VAD services.

3.2.1.3 KEY RESPONSIBILITIES

The following responsibilities apply to Illawarra Diggers staff.

1. Board of Directors	1.1 The organisation's governing body is accountable for ensuring systems are in place for the delivery of safe and quality care, services and supports to care recipients. 1.2 The Board shall review and maintain current a Board Policy on Voluntary Assisted Dying for Illawarra Diggers
2. Chief Executive Officer (CEO)	2.1 Accountable to the Board of Directors for assuring the safe, effective and high quality delivery of healthcare at Illawarra Diggers.
3. Director of Care	3.1 Accountable to the CEO for assuring the safe, effective and high quality delivery of healthcare at Illawarra Diggers. 3.2 Responsible for providing support and guidance to care recipients, staff and multidisciplinary team(s) 3.3 Overall responsibility for the VAD procedures. 3.4 Support the clinical practice guidelines developed to assist clinicians and care recipient decisions about appropriate healthcare in specific circumstances. 3.5 Oversee the safe delivery of complex care by way of a skilled workforce, based on diagnosis, treatment and care through best available evidence. 3.6 Supporting and rostering of staff who are conscientious objectors. 3.7 Inform CEO of any VAD related issues or processes.
4. Registered Nurses (RN) (includes more senior classes of RN eg CNS, CNE etc)	4.1 Provide VAD information when requested and encourage the care recipient to discuss with their Medical Officer. 4.2 Inform Director of Care of any VAD related enquiry or process. 4.3 Ensure the Voluntary Assisted Dying (VAD) form is updated with care recipient wishes and VAD processes. 4.4 May choose to conscientiously object to the care recipients' VAD requests for involvement in the process, but must not hinder their access to the service.
5. Team Leaders(TL)/ Lifestyle Team (LT)	5.1 When asked by a care recipient about VAD, refer the enquiry to the Director of Care or the RN on duty. 5.2 Provide information regarding VAD access only as directed by the Director of Care or RN and encourage the care recipient to discuss with their Medical Officer. 5.3 Ensure VAD records in the electronic system are kept up-to-date with care recipient wishes. Inform RN and Director of Care of any VAD related process. 5.4 Oversee CSE's and ensure that safe, person-centred and culturally safe practices are upheld.

	5.5 May choose to conscientiously object to the care recipients'' VAD requests for involvement in the process, but must not hinder their access to the service.
6. Personal Care Workers (PCWs)	6.1 When asked by a care recipient about VAD, refer the enquiry to the Director of Care or the RN on duty. 6.2 Ensure electronic system is kept up-to-date with the VAD referral, care recipient wishes and VAD processes. 6.3 May choose to conscientiously object to the care recipient's VAD requests for involvement in the process, but must not hinder their access to the service.

Regulatory Compliance

- Aged Care Act 1997
- Aged Care Quality Standards 2018
- Australian Privacy Principles
- Charter of Aged Care Rights 2019
- Poisons and Therapeutic Goods Act 1966
- Poisons and Therapeutics Goods Regulations 2002
- Privacy Act 1988, Schedule 1, Australian Privacy Principles
- Public Health Act 1991
- Public Health Regulations 1991
- Voluntary Assisted Dying ACT (NSW) 2022

Related Documents

- Illawarra Diggers Board Policy C.06 Voluntary Assisted Dying (VAD) Policy
- Advance Care Plan Authorisation
- Care of the Body after Death Policy and Procedure
- Employee Assistance Program Policy and Procedure
- End of Life Care Procedure
- Palliative Care Policy and Procedure
- Clinical Care Documentation Policy and Procedure
- Care of the Clinically Deteriorating Care Recipient Policy and Procedure
- 2.3 Assessment and Care Planning Processes
- 2.3.8 Advance Care Planning
- 3.2 Delivering Personal and Clinical Care
- 3.2.5 Documenting Advance Care Planning

References

- Australian Commission on Safety and Quality in Health Care *National Model Clinical Governance Framework* 2017
- Australian Health Practitioner Regulation Agency, *'AHPRA' Professional Codes and Conduct*, accessed November 2023, *https://www.nursingmidwiferyboard.gov.au/Codes-Guidelines-Statements.aspx*
- ELDAC, *'Voluntary Assisted Dying'*, accessed *October* 2023 *https://www.eldac.com.au/tabid/5757/Default.aspx*
- New South Wales (NSW) Health, 'Voluntary Assisted Dying', accessed January 2024, *https://www.health.nsw.gov.au/voluntary-assisted-dying/Pages/default.aspx*
- South Australia (SA) Health *'Voluntary Assisted Dying FAQ's',* accessed November 2023, *https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/services/primary+and+specialised+services/voluntary+assisted+dying/voluntary+assisted+dying+faq*
- Queensland (QLD) Health *'Voluntary Assisted Dying Handbook',* accessed November 2023 https://www.health.qld.gov.au/clinical-practice/guidelines-procedures/voluntary-assisted-dying/information-for-healthcare-workers/handbook
- Voluntary Assisted Dying Act (NSW) (2022), No 17, accessed October 2023 *https://legislation.nsw.gov.au/view/html/inforce/current/act-2022-017*

Definitions

Advanced Care Plan	Advanced Care Plan can be written by the care recipient or on their behalf. It documents a care recipient's values and preferences for healthcare and preferred health outcomes.
Conscientious Objection	A conscientious objection is when a person declines to participate in a lawful process or procedure due to their personal beliefs, values, or moral concerns. A healthcare worker has the right to refuse to participate in the process if they conscientiously object to voluntary assisted dying. However, registered health practitioners and speech pathologists have obligations under the Act that apply if they hold a conscientious objection.
Palliative Care	Palliative care is person and family-centred care provided for a person with an active, progressive, advanced disease, who has little or no prospect of cure and who is expected to die, and for whom the primary goal is to optimise the quality of life.
Voluntary Assisted Dying (VAD)	Voluntary Assisted Dying (VAD) means an eligible person can ask for medical help to end their life. The person must be in the late stages of an advanced disease, illness or medical condition. They must also be experiencing suffering they find unbearable. 'Voluntary' means the choice must be the person's own. Only the person who wants voluntary assisted dying can ask for it. It is against the law to pressure someone to ask for voluntary assisted dying. The NSW legislation has safeguards in place to make sure the person is protected.

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