



Cabinet Social Wellbeing Committee

Minute of Decision

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Implementing the End of Life Choice Act and Providing for Assisted Dying Services

Portfolio Health

On 23 June 2021, the Cabinet Social Wellbeing Committee:

- 1 **noted** that work to implement the End of Life Choice Act 2019 (the Act) is proceeding well, with all of the required elements to enable assisted dying expected to be in place from 7 November 2021;
- 2 **noted** that a range of stakeholders are being engaged in the implementation including advocacy groups, regulatory authorities, unions, professional bodies, palliative care organisations, Māori and disability groups;
- 3 **noted** that the Act is silent on which organisations should provide assisted dying, and that without government action this would be left to individual practitioners, with costs to be met through private fees and access dependent on where there are willing practitioners;
- 4 **agreed** that the government will take steps to ensure that assisted dying services are available to eligible people from 7 November 2021, in line with other health services;
- 5 **noted** that assisted dying will be sought by a small number of people, and that there is likely to be a preference for people to be supported to die at home or another community setting, though this will not be suitable for everyone;
- 6 **noted** that the availability of willing practitioners will be the key factor determining access to assisted dying, and that only a small proportion of practitioners are expected to be willing to provide assisted dying initially;
- 7 **agreed** that the government take a national approach to funding and providing for assisted dying services, which will involve:
 - 7.1 allowing any suitable individual practitioner who is willing, to receive funding for providing assisted dying services, on a fee-for-service basis;
 - 7.2 ensuring that willing practitioners employed by District Health Boards (DHBs) are supported to provide assisted dying services;

s 9(2)(b)(i)

- 8 **noted** that:
- 8.1 fee-for-service funding will allow individual practitioners to claim for funding when they complete parts of the assisted dying process and will include an allowance for travel costs;
- 8.2 individual practitioners who provide funded assisted dying services will need to comply with service standards, and will be prohibited from charging additional co-payments, to prevent these from becoming a barrier to access;
- 8.3 funding assisted dying services in this way will maximise the number of practitioners who can provide funded services, allow people to access assisted dying in a range of geographic areas and settings, and reduce cost as a barrier to access;
- 9 **noted** that the level of funding that is provided to individual practitioners for completing parts of the assisted dying process will be determined by the Ministry of Health using independent advice on an appropriate costing methodology;
- 10 **agreed** that there be an addition to the DHB service coverage schedule to the Crown Funding Agreement to identify assisted dying as part of the range of publicly funded health services, and that DHBs will provide assisted dying services using existing baseline funding;

s 9(2)(b)(ii)

- 12 **noted** that in Budget 2021, Cabinet agreed to funding of \$11.86 million for 2021/2022 s 9(2)(b)(ii) for the provision of assisted dying services [CAB-21-MIN-0116.14];
- 13 **authorised** the Minister of Finance and Minister of Health to approve final funding settings for the provision of assisted dying once work has been done on funding levels for practitioners and other costs s 9(2)(b)(ii);
- 14 **noted** that the implementation of assisted dying is a small component of wider work to improve palliative and end of life care in New Zealand, and that the Minister of Health expects to receive proposals shortly to address recognised sustainability, quality and equity issues with palliative care.

Rachel Clarke
Committee Secretary

Present:

Rt Hon Jacinda Ardern
Hon Grant Robertson
Hon Kelvin Davis
Hon Dr Megan Woods
Hon Chris Hipkins
Hon Carmel Sepuloni (Chair)
Hon Andrew Little
Hon Kris Faafoi
Hon Peeni Henare
Hon Willie Jackson
Hon Aupito William Sio
Hon Meka Whaitiri
Hon Priyanca Radhakrishnan

Officials present from:

Office of the Prime Minister
Office of the SWC Chair
Officials Committee for SWC