

END OF LIFE CHOICE ACT IMPLEMENTATION

Preparing for assisted dying services

Information for health service providers

July 2021

This information sheet is to help health service providers start preparing for when assisted dying becomes legal on 7 November 2021.

Health service providers are encouraged to consider how they will prepare for situations where people may request information about or access to assisted dying. The information provided is to help health service providers start this process.

Further resources to support health service provider planning can be found through [the Ministry of Health's LearnOnline platform](#).

Note: this information refers to health service providers as a collective to represent the range of providers in the public health system, such as district health boards, primary care providers, aged residential care, disability support services.

People will be able to request assisted dying from 7 November 2021

The End of Life Choice Act 2019 (the Act) outlines the legal framework that allows people who have a terminal illness and meet the eligibility criteria to request medication to relieve their suffering and end their life.

An eligible person can choose to self-administer the medication (in the presence of a medical or nurse practitioner), or request that a medical or nurse practitioner administers the medication.

From 7 November 2021, people will be able to request assisted dying. However, they must meet strict and specific criteria to be eligible. Not everyone with a serious illness will be eligible for assisted dying.

The Act can be found in full on [the New Zealand Legislation website](#).

Assisted dying services will generally be provided in home and community settings

Any medical or nurse practitioner who is suitably qualified and willing to do so will be able to provide assisted dying services. This means that assisted dying services may be provided through a variety of different health service providers. It is expected that generally assisted dying services will be provided in home and community settings.

- If a practitioner is providing services through private practice, a non-government organisation or a primary care organisation, they will be able to access funding through a fee-for-service model. This funding will be provided on a modular basis and will include funding to cover travel costs associated with providing assisted dying services, such as if a person would like to die at home.
- If a practitioner is providing services as part of their employment within a district health board (DHB), DHB funding will cover these costs. DHBs are expected to have policies in place for is assisted dying services are provided by DHB staff or within DHB facilities. These may include provision for a practitioner to travel to a person's home or other community setting to provide assisted dying services.

More details can be found in '*Funding and delivery model for assisted dying services: Information for medical and nurse practitioners*' information sheet [on the Ministry's website](#).

The Ministry is developing the details of how assisted dying services will be provided in practice. This includes developing a service specification, standards of care and clinical guidance for assisted dying services.

Health service providers are expected to prepare for situations where people may request information about or access to assisted dying by creating plans and policies that are relevant to their own context.

Health service providers may be involved in assisted dying in different ways

Not all health service providers will provide assisted dying services. Providers are not required to provide assisted dying services, either because of the views of the organisation or practicality considerations.

There are a number of considerations that may influence whether a provider participates in providing assisted dying services. These include whether a provider:

- already provides end-of-life care
- has health practitioners (medical practitioners, nurse practitioners, psychiatrists and pharmacists) that are willing and able to provide assisted dying as per the process under the Act
- has health practitioners and health professionals (such as nurses and health care assistants) that are willing and able to support the provision of assisted dying services, such as talking to patients about assisted dying or making practical arrangements related to assisted dying

- has guidance and support in place for health practitioners who are involved in assisted dying, as well as guidance and support for those who choose not to be involved.

Health service providers should start preparing for the introduction of assisted dying services

The level of preparation will vary depending on the level of participation the health service provider is likely to have in providing assisted dying services.

There are some actions that all health service providers are encouraged to take, whether or not they intend to provide assisted dying services. These include:

- ensuring staff are prepared and supported for when assisted dying is available, including how to appropriately respond to requests about assisted dying
- considering how the provider can respond respectfully and appropriately to a person requesting this option, including ensuring continuity of care is possible
- considering what care pathways may look like for patients who request assisted dying and may have to move between services.

There are additional actions that health service providers who are likely to provide assisted dying services should take. These include:

- developing specific systems and processes for assisted dying, including identifying any additional planning or administrative support that may be needed
- making appropriate support available for workforce who may be involved in assisted dying services.

Health service providers should develop systems and processes for assisted dying

It is recommended that health providers decide whether assisted dying will be within the scope of services they provide or facilitate, and if so, establish their own systems and processes for assisted dying that are relevant to their context.

Health service providers may also want to consider how they can collaborate on or share planning to support each other with this work.

These systems and process may cover:

- forming a group that represents the multidisciplinary team, including Māori representation, that will oversee assisted dying services within the provider
- establishing a contact point for staff questions and concerns, including ethical or legal queries

- developing processes for staff support, including opportunities to debrief about experiences of responding to requests or providing assisted dying services.

If a health service provider is planning to conscientiously object as an organisation, it is important that the provider also has guidelines for how the organisation and its staff will respond if a person under their care requests assisted dying. This includes ensuring that medical practitioners comply with their legal obligations under the Act, including in relation to conscientious objection.

Additionally, these guidelines could address expectations in relation to individual staff members who wish to be involved in assisted dying services outside of their contract with the organisation, or within their contract but in a different location to where services are normally provided, such as in a person's home.

Health service providers should prepare their workforce for the introduction of assisted dying

As part of the implementation, the Ministry is providing information, guidance and training about the Act and assisted dying to health professionals. Health service providers should also consider how they can prepare and support their own workforces for when assisted dying is available.

It is important health service providers consider all workforce and their potential role in assisted dying services. This includes considering guidance and support for health practitioners and health professionals who are not referenced in the Act, such as nurses, health care assistants or carers. These health professionals may be asked about assisted dying or may be involved in supporting someone through the assisted dying process.

Prior to 7 November 2021, all health workforce should know how to:

- access information and training related to assisted dying, including understanding their rights and responsibilities under the Act
- respond to requests for assisted dying
- direct people to relevant information about assisted dying.

Health service providers can ensure their staff are prepared and supported by:

- assessing workforce interest and willingness to be involved in providing assisted dying services, such as through conversations or a workforce survey
- encouraging staff to access information and training produced by the Ministry – an online module is currently available through the Ministry's [LearnOnline platform](#)
- ensuring staff are familiar with professional standards, guidelines, and codes of conduct and consider how these apply in the context of assisted dying services
- developing peer networks for staff who may be involved in assisted dying services.

Assisted dying may be a sensitive or personal topic for some people. It is important that providers encourage respectful conversation and make appropriate support available to staff, such as access to the Employee Assistance Programme (EAP).

Further information and support

The Ministry is responsible for implementing the Act and will be providing further information and resources to help providers and their staff prepare for the introduction of assisted dying services. Guidance and support will continue to be available and updated following 7 November 2021.

A range of materials are being developed, including resources for service providers, health professionals and the community. These resources will be distributed directly to health service providers and professional organisations, as well as being available on [the Ministry's website](#).

The Ministry has a regular newsletter about the implementation of the Act – [sign up for these updates](#).



July 2021
HP 7685