

FACTSHEET 27: Washington's Physician Assisted Dying Law

Initiative Measure 1000 was an adopted ballot measure dealing with aid in dying and enacted by the citizens of Washington at the general election on 4th November 2008. It was initiated by former Governor Booth Gardner, and of the 1,715,219 votes, (57.82%) were in favour and 1,251,255 (42.18%) against. There were 2,966,474 votes (100.00%) total. The initiative is based on Oregon Measure 16 which was passed in 1994 and overwhelmingly reapproved in 1997 following a Supreme Court challenge.

The Washington Death with Dignity Act includes the following provisions:

- Allows for an attending physician to prescribe medication to competent adults (over 18 years) to end life in a humane and dignified manner under prescribed conditions, with competency assessed by two physicians;
- Allows medication for self, not physician, administration;
- Relies on fully informed patient consent following advice on all other options including hospice and palliative care;
- Applies only to terminally ill patients with a prognosis of less than six months to live, verified by two physicians;
- Includes strict healthcare provider responsibilities;
- Includes a residency requirement;
- Requires a second medical opinion;
- Allows for appropriate counseling;
- Requires a lapse of fifteen days between the initial oral request and the written request;
- Requires a lapse of 48 hours between the written request, signed by two independent witnesses, and writing the prescription;
- Allows for rescinding the decision at any time and in any manner;
- Provides for penalties in event of coercion;
- Includes reporting requirements, including copies of all prescriptions provided to the Dept Health which publishes an annual report reviewing the Act;
- Promotes, but is not reliant upon, the notification of a patient's next of kin;
- Provides immunity to healthcare providers in respect of participation or non-participation in the Act;
- Ensures that any provisions in a will, contract, insurance policy, or any other agreement become ineffective if they influence whether a patient makes a decision under the Act.

References:

1. A transcript of the Act is available at: <http://www.candcofwa.org/docs/Textfor11000.pdf>
2. Washington Dept of Health <http://www.doh.wa.gov/>