

Fact Sheet 30 Vermont USA: The *Patient Choice and Control at End of Life Act*

On May 20th 2013 the Vermont General Assembly passed Act 39, the *Patient Choice and Control at End of Life, Act*. This allows terminally ill Vermont residents the option for prescription of a dose of medication to hasten the end of life under the participation of a Vermont physician. Vermont is the fourth USA state to legislate for a physician assisted death under prescribed conditions.

Key features:

- The Act applies to Vermont residents suffering from an incurable and irreversible disease that would, within reasonable medical judgment, result in death within six months.
 - The patient must be capable of making a voluntary, informed health care decision, and be able to self-administer the prescribed dose.
 - Neither the patient, physician, or pharmacist is required to participate in activities under Act 39 and every step must be voluntary.
 - A physician shall not be subject to any civil or criminal liability or professional disciplinary action if acting and reporting under specified conditions including:
 - An oral request in the presence of the physician, followed by a second request after 15 days with an opportunity to rescind
 - Two or more witnesses (not interested persons), over 18 years sign and affirm that the patient understood the nature of the document and was not under duress.
 - The physician informed the patient in person, both verbally and in writing of the diagnosis, prognosis and available treatment options.
 - The physician referred the patient to a second physician for medical confirmation who verified that the patient did not have impaired judgment – or, if deemed necessary, referred the patient for an evaluation by a psychiatrist, psychologist, or clinical social worker licensed in Vermont.
 - After writing the prescription, the physician promptly filed a report with the Department of Health
 - No person shall be subject to civil or criminal liability solely for being present when a patient self-administers, or for not acting to prevent the patient from self-administering.
 - A health care facility or health care provider shall not subject a physician, nurse, pharmacist, or other person to discipline, suspension, loss of license, loss of privileges, or other penalty for actions taken in good faith.
 - A health care facility may prohibit a physician from writing a prescription provided that the facility has notified the physician in writing of its policy.
 - A person and his or her beneficiaries shall not be denied benefits under a life insurance policy.

For more comprehensive information on the Act see the Vermont Department of Health website: http://healthvermont.gov/family/end_of_life_care/patient_choice.aspx

For USA Legislative status: <http://euthanasia.procon.org/view.resource.php?resourceID=000132>