



Policy

**Death With Dignity Act/Physician Assisted Suicide**  
Risk Management 33542

(Rev: 4)Official

**Policy Statement**

Washington law recognizes certain rights and responsibilities of qualified patients and health care providers under the Death with Dignity Act ("ACT"). Under Washington law, a health care provider, including Overlake Hospital Medical Center ("OHMC") and Overlake Medical Clinics (OMC) are not required to assist a qualified patient in ending that patient's life. Health care providers ("Providers") include any person licensed, certified, or otherwise authorized or permitted by law to administer health care or dispense medication in ordinary course of business or practice of a profession.

No patient will be denied other medical care or treatment because of the patient's participation under the Act. The patient will be treated in the same manner as all other OHMC and OMC patients. The appropriate standard of care will be followed.

Any patient wishing to receive life-ending medication under the Act while an inpatient at OHMC's hospital will be assisted in transfer to another facility of the patient's choice, upon their request. The transfer will assure continuity of care.

All providers at OHMC/OMC are expected to respond to any patient's query about life-ending medication with openness and compassion. OHMC/OMC believes our Providers have an obligation to openly discuss the patient's concerns, unmet needs, feelings, and desires about the dying process. Providers should seek to learn the meaning behind the patient's questions and help the patient understand the range of available options, including but not limited to comfort care, hospice care, and pain control. Ultimately, OHMC/OMC's goal is to help patients make informed decisions about end-of-life-care.

OHMC has chosen to not participate under the Death with Dignity Act within the inpatient areas of the hospital and in most outpatient departments. This means that:

1. Providers shall not participate under the Act in any OHMC operated in-patient facility and in all outpatient and or clinic facilities except for the Overlake Senior Care Clinic, the Overlake Oncology Clinic, the Overlake Pulmonary Clinic and the Overlake Cardiology Clinic.
2. Except for those Providers practicing in Overlake Senior Care Clinic, the Overlake Oncology Clinic, the Overlake Pulmonary Clinic and the Overlake Cardiology Clinic, all other Providers employed by OHMC/OMC or contracting with OHMC/OMC as independent contractors shall not participate under the Act when acting within the scope of their capacity as an employee or independent contractor of OHMC.
3. OHMC's pharmacies will not honor prescriptions for end-of-life-medications.

All patient contact and communications by OHMC/OMC employees and volunteers shall be consistent with this policy.

As used in this policy, "participate under the Act" includes performing the duties of an attending physician under RCW 70.245.040, the consulting physician function under RCW 70.245.060, or the counseling function under RCW 70.245.060.

Nothing in this policy:

1. prevents a Provider from making an initial determination that the patient has a terminal disease and informing the patient of the medical prognosis,
2. prevents a Provider from providing information about the Act to a patient when the patient

requests information,

3. prohibits a Provider who is employed by or who is an independent contractor of OHMC/OMC from participating under the Act when not functioning within the scope of this or her capacity as an employee or independent contractor of OHMC/OMC, or
4. prohibits a Provider who is not an employee or independent contractor of OHMC/OMC from participating under the Act in the private medical office of a Provider.

## Procedure

- A. Patients will be provided with educational materials about end-of-life options upon request. Materials will include a statement that except as outlined above, OHMC/OMC does not participate under the Act.
- B. If, as a result of learning of OHMC/OMC's decision not to participate in the Act, the patient wishes to have care transferred to another hospital of the patient's choice, OHMC/OMC staff will assist in making arrangements for the transfer. If the patient wishes to remain at OHMC, staff will discuss what end of life care will be provided consistent with hospital policy.
- C. If a patient requests a transfer to a physician who will fully participate under the Act or expresses the desire to take medication that will result in the patient's death, the Provider may choose to provide the patient with a referral, or may instruct the patient that he or she must find a participating provider on his or her own. The Provider receiving the request shall inform the patient's attending physician as soon as possible, and no longer than one working day, that the patient wishes to take life-ending medications. The attending physician shall be responsible for:
  1. Ensuring that the medical record is complete and all required documentation is included. A copy of the Resuscitation Status (DNR) order, copies of advance directives, and POLST form are to be included.
  2. Communicating with other clinicians involved with the patient to ensure continuity of care, either by communicating that the attending physician will continue to provide care for that portion of the patient's care that does not require participation under the Act, or by cooperating with the transfer of that care to another physician.
  3. Documenting all communication in the patient's medical record.
  4. The relevant medical records will be transferred to the physician taking over the patient's care.

## Sanctions

If a provider participates under the Act beyond what is allowed in the policy, OHMC/OMC may impose sanctions on that provider through the process provided in the OHMC Medical Staff Bylaws, including the due process right to hearing and appeal. The sanctions may include:

- Loss, suspension or restriction of medical staff privileges;
- Loss or suspension of Medical Staff membership; or
- Placing medical staff privileges or membership on probation

If a Provider who is employed or who has an independent contractor agreement with OHMC/OMC participates under the Act beyond what is allowed in the policy, OHMC/OMC may also impose sanctions on that Provider in relation to the agreement. The sanctions may include termination of any written or oral employment or independent contractor agreement, or any other remedy or sanction available under the agreement and/or OHMC/OMC policies.

## Public Notice

OHMC/OMC will provide public notice of this policy in the following ways: posting the policy or information about the hospital's stance on the Death with Dignity Act on the hospital's web page.

**Laws/Regulations:** Initiative 1000/Washington Death with Dignity Act; RCW Chapter 70.245, Washington State Department of Health Regulations Chapter 246-978 /WAC.

**Reference Materials:** The Oregon Death with Dignity Act: A Guidebook for Health Care Professionals.