

# Process Steps and Summary\* – California End-of-Life Option Act



## Attending Physician

- Diagnoses terminal illness, prognosis of ≤6 months



## Individual (18yrs or older)

- Makes voluntary oral request for aid-in-dying drug

## Attending Physician



- Verifies CA residency, mental capacity to make decisions, physical capacity to take drugs, voluntary request, informed decision
- Confirms request is voluntary by meeting with patient alone (or with interpreter)
- Counsels individual about:
  - Risks/results of drugs
  - May receive drugs but not ingest
  - May rescind request
  - Alternatives or treatment possibilities: comfort care, palliative care, hospice care, pain control
  - Recommend notifying kin
  - Recommend participating in hospice
  - Have someone with you when ingest
  - Don't ingest in public place
  - Keep drugs in safe place
- Refers to independent Consulting Physician
- Refers to Mental Health Specialist if concerned about mental capacity
- Documentation (see below)



## Qualified Individual

- Makes written request per statute
  - 2 witnesses; NOT Attending or Consulting Physician or Mental Health Specialist
  - 1 may be related, heir, owner/employee or healthcare facility where individual receiving care
- Makes second oral request at least 15 days after first request
- Visits Consulting Physician (and Mental Health Specialist if referred)



## Consulting Physician

- Examines individual and medical records
- Confirms terminal diagnosis, prognosis, mental capacity

- If concerned about mental capacity, refers to Mental Health Specialist
- Documentation; submits required Compliance Form to Attending Physician



## Mental Health Specialist, if needed

- Must be psychiatrist or licensed psychologist
- Evaluates individual to assess mental capacity to make decisions
- Documentation; report to Attending Physician

NOTE: IF ATTENDING OR CONSULTING PHYSICIAN OR MENTAL HEALTH SPECIALIST FIND THAT THE INDIVIDUAL LACKS MENTAL CAPACITY, THE INDIVIDUAL WILL NOT RECEIVE AID-IN-DYING MEDICATIONS.



## Attending Physician

- Verifies individual's mental capacity (again)
- Gives individual "Final Attestation Form"
- Issues prescription
- Dispenses drug(s) directly, if properly licensed
- With written consent of individual, delivers prescription either in person, by mail, or by authorized electronic method to pharmacist



## Pharmacist

- Fills prescription
- Delivers drugs to either individual for whom drugs prescribed or to person "expressly designated"



## Qualified Individual

- Signs Final Attestation at most 48 hours prior to ingesting drugs
- Self-administers drugs
- Caregivers/Family return signed Final Attestation to Attending Physician



## Attending Physician

- Submits Compliance Form and supporting documentation from Consulting Physician and Mental Health Specialist, if involved, and Follow-Up Survey to CDPH, per statutory requirements

## Documentation required for the medical record:

- Oral requests and written request
- Diagnosis and prognosis, determination of mental capacity, voluntary request, informed decision
- Consulting physician's confirmation of diagnosis and prognosis, mental capacity, informed decision
- If applicable, report from Mental Health Specialist
- Attending's offer to individual to rescind request
- Notation by the Attending Physician that all requirements have been met; all steps taken; notation of aid-in-dying medications prescribed

**\*THE INFORMATION IN THIS DOCUMENT DOES NOT CONSTITUTE LEGAL OR MEDICAL ADVICE.  
CONSULT AN ATTORNEY OR QUALIFIED MEDICAL PROFESSIONAL FOR ADVICE ON YOUR SITUATION.**

**For details, see Part 1.85 of Division 1, Health and Safety Code of California**