

END OF LIFE OPTION ACT

5/1/2016

The 2015/2016 special legislative session officially closed on March 10, starting the 90-day clock for implementation of bills passed during the special session. As a result, we now know that **California's End of Life Option Act (ABx2 15)** will go into effect on June 9, 2016.

Under the law, a "qualified individual" is an adult who is able to understand and make their own medical decisions and who has been diagnosed with a terminal illness. To request a prescription for an aid-in-dying drug, all of the following conditions must be met:

1. Your attending physician must diagnose you with a terminal disease.
2. Your wish to receive a prescription for an aid-in-dying drug must be voluntary.
3. You must be a California resident and be able to establish your residency through any of the following means:
 - (A) A California driver license or other identification issued by the State of California.
 - (B) Registration to vote in California.
 - (C) Evidence that you own or lease property in California.
 - (D) Filing of a California tax return for the most recent tax year.
4. Your request must be documented under the requirements set forth in Section 443.3 of the law.
5. You must have the physical and mental ability to self-administer the aid-in-dying drug. (You cannot have someone else administer the drug.)

You will not be considered a "qualified individual" solely because of your age or disability.

A request for a prescription for an aid-in-dying drug must be made solely and directly by the individual diagnosed with the terminal disease and cannot be made on behalf of the patient by anyone else, including, but not limited to, through a power of attorney, an advance health care directive, a conservator, health care agent, surrogate, or any other legally recognized health care decision maker.

A terminal diagnosis is defined as an incurable and irreversible disease that has been medically confirmed and will, within reasonable medical judgment, result in death within six (6) months. (Health & Safety Code §443.5 (a)(1)(B); §443.1(q).)

"Medically confirmed" means the medical diagnosis and prognosis of the attending physician has been confirmed by a consulting physician who has examined the individual and the individual's relevant medical records. (Health & Safety Code §443.1(j).)