

**TRI-CITY HEALTHCARE DISTRICT
BOARD OF DIRECTORS POLICY**

BOARD POLICY # 16-046

POLICY TITLE: End of Life Option Policy

I. BACKGROUND

- A. The End of Life Option Act (Cal. Health & Safety Code § 443 *et seq.*, referred to in this policy as the “Act”), as enacted by the California Legislature and effective June 9, 2016, allows certain terminally ill adult patients with the requisite mental capacity to make medical decisions requesting the prescription of an aid-in-dying drug to end their life if specified conditions are met.
- B. The Act establishes specific procedures and requirements that must be followed by patients and health care providers who choose to assist them. It also provides that, upon proper notice, a health care provider may “opt out” or prohibit its employees, independent contractors, or other persons or entities from participating in activities authorized under the Act while on premises owned, managed, or directly controlled by the prohibiting health care provider or while acting within the course and scope of any employment by, or contract with, the prohibiting health care provider.

II. PURPOSE

- A. This policy describes Tri-City Healthcare District’s (“TCHD”) position regarding the Act in TCHD’s facilities, programs, and services, and to provide guidance in caring for patients who express interest in ending their life under the Act. TCHD has chosen to opt out and refrain from offering and participating in activities authorized under the Act.
- B. At TCHD, the needs of the patient come first. TCHD provides end-of-life care that addresses the physical, emotional, social, and spiritual needs of the patient and his or her family. The end-of-life care TCHD provides is grounded in the values of respecting the sacredness of life, providing compassionate care to dying and vulnerable persons, and respecting the integrity of health care providers. TCHD believes that compassionate, end-of-life care should neither prolong nor hasten the natural dying process. TCHD will not abandon dying patients or their families and is committed to providing appropriate support for dying persons and their families throughout the final stages of life by supporting patient self-determination through the use of advance directives, offering hospice, palliative, and other supportive care, and providing effective pain and symptom management and other social, spiritual, and pastoral care support and services.

III. SCOPE

- A. TCHD currently provides end-of-life and supportive care services to ease patient and family suffering. This policy is limited to the conduct permitted by the Act and does not apply to the many end-of-life care services TCHD provides. This policy applies to all TCHD employees, independent contractors, healthcare workers, ministries, providers, employees, and volunteers, and other professional health care providers while carrying out work-related duties for TCHD while on premises owned, managed, or directly controlled by TCHD.

IV. DEFINITIONS

- A. Adult: an individual 18 years of age or older.
- B. Aid-In-Dying Drug: a drug determined and prescribed by a physician for a qualified individual, which the qualified individual may choose to self-administer to bring about his or her death due to a terminal disease.
- C. Attending Physician: the physician who has primary responsibility for the health care of an individual and treatment of the individual's terminal disease.
- D. Qualified Individual: an adult who has the capacity to make medical decisions, is a resident of California, and has satisfied the requirements of the Act in order to obtain a prescription for a drug to end his or her life.
- E. TCHD Facilities: any and all premises owned, managed, or directly controlled by TCHD, including, but not limited to Tri-City Medical Center.
- F. TCHD Healthcare Providers: any employee, independent contractor, healthcare worker, ministry, provider, volunteer, and other professional health care provider providing services, care, and/or treatment at TCHD Facilities.

V. POLICY

- A. The Act allows an Adult terminally ill patient, with capacity to make health care decisions and seeking to end his/her life, to request an Aid-In-Dying-Drug from his/her Attending Physician.
- B. TCHD prohibits its TCHD Healthcare Providers while at TCHD Facilities from all of the following:
 - 1. participating in activities authorized under the Act, including participating in or facilitating physician-assisted death; and
 - 2. providing, delivering, administering, or assisting with the administration of any medication intended for physician-assisted death, or be present when a patient ingests medications with the intent of completing physician-assisted death.

- C. TCHD does not permit the ingestion or self-administration of an Aid-In-Dying Drug at its TCHD Facilities.
- D. Patients, families, and TCHD Healthcare Providers are encouraged to explore fully and discuss care and treatment options for terminally ill patients. TCHD respects the rights of patients and their care team to discuss and explore all treatment options; however TCHD Healthcare Providers do not participate in any way in assisted death. Any member of a patient care team may respond to questions from a patient and family regarding end of life services provided by TCHD.
- E. No patient will be denied medical care or treatment because of the patient's participation under the Act.
- F. The requirements outlined in this policy do not preclude or replace other existing policies at TCHD.
- G. A patient who transfers care from TCHD to a provider participating in the Act in order to obtain an Aid-in-Dying-Drug must promptly be provided with a copy of his or her medical records to facilitate the transfer.
- H. Consistent with this policy, TCHD will continue to provide care to patients who qualify for and request services, regardless of their stated interest in seeking physician-assisted death.

VI. PROCEDURE

- A. Upon admission to Tri-City, all patients will be provided with a copy of Tri-City's "End of Life Option Act" statement, which is attached to this policy as Exhibit 1.
- B. When a patient expresses intent to pursue physician-assisted death as set forth under the Act, the patient will be informed that TCHD's Healthcare Providers do not provide, deliver, administer, or assist patients with obtaining an Aid-In-Dying-Drug. A copy of the statement attached to this Policy as Exhibit 1 will be provided following the patient's inquiry and/or request for the services encompassed by the Act.
- C. TCHD Healthcare Providers will continue to provide all other requested end-of-life and supportive care, and other services to patients and families, regardless of their stated interest in seeking physician-assisted death.
- D. TCHD prohibits patients from ingesting an Aid-In-Dying Drug at its TCHD Facilities. Any such request from a patient will be denied.

VII. REFERENCES

- A. California Department of Public Health:
<https://www.cdph.ca.gov/Pages/EndofLifeOptionAct.aspx>

- B. California Hospital Association: <http://www.calhospital.org/end-life-option-act>
- C. Medical Board of California: http://www.ombc.ca.gov/forms_pubs/
- D. Patient Access to Health Records Act, Cal. Health & Safety Code § 123100 *et seq.*: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=123001-124000&file=123100-123149.5>
- E. California Health & Safety Code §§ 442-442.7:
https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=HSC&division=1.&title=&part=1.8.&chapter=&article=

Approved by the Board of Directors: 8/25/16

Exhibit 1

California End of Life Option Act

Tri-City prides itself on providing end-of-life care that addresses the physical, emotional, social, and spiritual needs of the patient and his or her family. The end-of-life care Tri-City provides is grounded in the values of respecting the sacredness of life, providing compassionate care to dying and vulnerable persons, and respecting the integrity of health care providers. Tri-City respects the relationship that exists between a patient and health care provider in making important health care decisions regarding the patient's end-of-life care. As a result, Tri-City has chosen to opt-out of the California End of Life Option Act (Cal. Health & Safety Code § 443 *et seq.*).

How will this affect Tri-City's patients?

Tri-City's decision to opt-out means that Tri-City and its providers, while working at Tri-City, will not deliver, administer, or assist patients with obtaining an aid-in-dying-drug. Patients will also be prohibited from taking an aid-in-dying drug while on Tri-City's premises.

How will this affect individuals who seek the services provided in the End of Life Act?

At Tri-City, all patients will be provided medical care and treatment regardless of the patient's decision to seek aid-in-dying-drug. Tri-City will continue to provide all other requested end-of-life and supportive care, and other services to patients and families, regardless of their stated interest in seeking physician-assisted death. A patient who transfers care from Tri-City to a provider participating in the End of Life Act in order to obtain an aid-in-dying-drug will be provided with a copy of his or her medical records to facilitate the transfer.