

Bill Summary: Increasing Access to the Death with Dignity Act HB 1141

The Legislation Would Improve the Existing Law:

The [Death with Dignity Act](#) took effect on March 5, 2009. Under the law, qualified individuals who are terminally ill, mentally capable adults with 6 months or less to live are able to request aid-in-dying medication which they can then choose to self-ingest. The law was intended to give eligible terminally ill, mentally capable patients the option of medical aid in dying to peacefully end their suffering.

However, many eligible patients are not able to use the law as a result of restrictive roadblocks.

After carefully evaluating how the current law is working, this legislation would allow more eligible patients to access medical aid in dying :

- **Expanding the definitions of attending and consulting providers to include Advanced Practice Registered Nurses and Physician Assistants.** Washington's current law requires that an individual requesting medical aid in dying consult with two physicians. Advanced Practice Registered Nurses and Physician Assistants often provide consistent, ongoing care for terminally ill individuals, and prescribing aid in dying medication is in line with their scope of practice. By expanding the types of medical providers who can serve as attending and consulting providers, HB 1141 will improve access for eligible patients. This is particularly important given the strain the COVID-19 pandemic has put on healthcare providers overall, as well as for rural communities and communities of color who face healthcare disparities and greater obstacles to care.
- **Expanding the types of mental health providers eligible to assess patients for mental capability.** Washington's current law requires that physicians refer patients requesting medical aid in dying to a psychiatrist or psychologist if there is a concern about their mental capability. To provide greater access and better ensure that individuals can receive the mental health evaluations they may need, HB 1141 expands the types of licensed mental health professionals who can provide counseling to include independent clinical social workers, advanced social workers, mental health counselors, and psychiatric advanced registered nurse practitioners to also serve as the mental health provider.
- **Reducing the 15 day waiting period to 72 hours.** Currently, qualified patients must wait 15 days between their first and second oral requests for the aid in dying medication. The waiting period has proven to be a barrier for individuals seeking medical aid in dying rather than a safety feature. HB 1141 would reduce the waiting period to 72 hours.

- **Allowing attending providers to waive the mandatory waiting period if the patient is unlikely to survive and meets all other qualifications.** In some instances, individuals may be unable to survive the mandatory waiting period, leading to unnecessary suffering and exclusion from the law. HB 1141 would allow a qualified patient's attending provider to waive the waiting period if, in their medical judgment, they are unlikely to survive that time period.
- **Allowing the prescription to be delivered by mail.** Currently, pharmacists are prohibited from dispensing medication for aid in dying by mail or other courier types. However, data from California, where the medication may be dispensed by mail or courier with signature, demonstrate this can be done safely. Allowing for mail delivery of prescriptions is also especially important for individuals who have limited mobility or limited access to transportation, as well as in light of the safety precautions necessitated by the COVID-19 pandemic.

Additional Information About the Bill:

Bill Sponsors:

- | | |
|----------------------------|------------------------------|
| ● Representative Rude | ● Representative Peterson |
| ● Representative Macri | ● Representative Thai |
| ● Representative Stonier | ● Representative Ramel |
| ● Representative Tharinger | ● Representative Johnson, J. |
| ● Representative Ormsby | ● Representative Bateman |
| ● Representative Frame | ● Representative Simmons |
| ● Representative Pollet | ● Representative Fitzgibbon |
| ● Representative Goodman | |

Legislation:

[HB 1141](#)

Compassion & Choices Website:

<https://compassionandchoices.org/in-your-state/washington/>

End of Life Washington Website:

<https://endoflifewa.org/>

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