

The Ron Silverio/Heather Block End-of-Life Options Act: *Information on the Delaware Law*

Delaware is now the twelfth jurisdiction in the U.S. to authorize medical aid in dying. The law was signed by Governor Matt Meyer on May 20, 2025. This Act is effective immediately and is to be implemented the earlier of the following:

1. Notice by the Secretary of the Department of Health and Social Services, published in the Register of Regulations, that final regulations required under § 2511C of Title 16 have been promulgated.
2. January 1, 2026.

Who is Eligible

To be eligible for medical aid in dying under the Ron Silverio/Heather Block End-of-Life Options Act, a person must be:

1. An adult,
2. Terminally ill,
3. Given a prognosis of six months or less to live, and
4. Mentally capable of making their own healthcare decisions.

In addition, a person must meet the following requirements:

- > A resident of Delaware
- > Acting voluntarily
- > Capable of self-ingesting the aid-in-dying medication.

Steps for Using the Law

In addition to meeting the core eligibility criteria, there is a process that must be followed in order to qualify for a prescription for aid-in-dying medication.

- > Two licensed healthcare providers must confirm the terminal illness. Individuals are not eligible for medical aid in dying solely because of age or disability.



- > In all cases, the attending physician or attending APRN must inform the requesting individual about all of their end-of-life care options, including hospice care, comfort care, palliative care, and pain and symptom management.
- > In all cases, if either the attending or consulting healthcare provider has concerns about the individual's mental capacity or ability to make an informed decision, they must make a referral to a mental health professional for an assessment. Medication cannot be prescribed until the requesting individual's mental capacity is affirmed.
- > The individual must fill out the Request for Medication to End My Life in a Humane and Dignified Manner form and present it to their attending physician or attending APRN. Visit CompassionandChoices.org/Delaware to access this form.
- > A qualified patient must make two oral requests and one written request for aid-in-dying medication. A qualified patient must make the second oral request for aid-in-dying medication no fewer than 15 days after making the first oral request. Additionally, an attending physician or attending APRN may not write a prescription less than 48 hours after the individual's written request.

Talking to Your Provider

Ask your healthcare providers now whether they will support your end-of-life choices, including medical aid in dying. This will encourage them to listen to your priorities and become prepared to provide you with the care you may want in the future. If your medical providers are unable or unwilling to support your end-of-life choices, you have the option to change to a healthcare team that puts your wishes first.

Learn More

The Compassion & Choices End-of-Life Consultation (EOLC) team provides personalized and confidential support around end-of-life planning. Consultants are available to answer questions and provide resources to healthcare providers and terminally ill individuals. EOLC can be contacted directly at eolc@CompassionAndChoices.org or by calling **800.247.7421**.

Find forms, videos and resources for patients and clinicians at:

CompassionAndChoices.org/Delaware

