



Assisted Dying Service

Embargoed to 7 November 2021

Information pack for health professionals and health service providers

3 November 2021

Kia ora koutou

This pack aims to provide health professionals and health service providers with overview information about the Assisted Dying Service.

Assisted dying is a new health service in New Zealand Aotearoa. Assisted dying becomes legally available from 7 November 2021.

During this year, the Ministry of Health has led the implementation of the End of Life Choice Act 2021 (the Act). The Act becomes law on 7 November, 12-months after the public referendum in 2020.

The Ministry's implementation team has engaged with the health and disability sector as part of the establishment of the Assisted Dying Service. The Ministry will continue to work with the health and disability sector and practitioners delivering the services as we work together to establish this new health service.

From 7 November 2021, public information about the Assisted Dying Service will be available on the Ministry of Health website under the **Assisted Dying Section** and will include printable information sheets about the service. Copies of two of the main information sheets are included in this pack, along with some information about the other public resources.

Information, resources, and links to the assisted dying training for health professionals and health service providers will continue to be available on the Ministry website under the **Assisted Dying Service**



section. The training about assisted dying is enduring and will continue to develop. This is accessed on the LearnOnline portal.

If you have questions about the material in this pack, or the Assisted Dying Service, please contact the secretariat at the Assisted Dying Service in the Ministry by emailing **AssistedDying@health.govt.nz**.

We will be providing media with an embargoed information pack with high level information, and the two main public information sheets. This aims to support provision of messaging to the public through the media.

Thank you for your contributions to the establishment of this new health service.

Nga mihi

Ministry of Health Assisted Dying Service secretariat

Assisted dying may be a sensitive or personal topic for some people. Please talk to your employer if you need support, including access to the Employee Assistance Programme (EAP).



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Additional information:

Public information sheet – overview of the assisted dying service

This information sheet will be available on the Ministry website for the public to print, along with a range of other information sheets. Attached alongside this information pack.

Assisted dying service – Quick reference guide (graphic)

This guide talks through the steps a person takes when accessing assisted dying. The guide will be available on the Ministry of Health website for the public to download or print along with the other information sheets. Attached alongside this information pack.

Health Professionals information sheet



This information sheet provides key information about the assisted dying service for all health professionals, including professionals who will not be involved in providing assisted dying services. Attached alongside this information pack.

The Assisted Dying Service

Assisted dying is a new health service in New Zealand Aotearoa, available from 7 November 2021.

Assisted dying involves a person who is experiencing unbearable suffering from a terminal illness taking or being given medication to end their life.

New Zealanders aged over 18 who have a terminal illness that is likely to end their life within six months may be able to access assisted dying.

There are strict eligibility criteria to have an assisted death. Not everyone with a terminal illness will be eligible.

The person seeking assisted dying needs to raise it with their doctor or health care team. A health professional cannot raise assisted dying with a person.

Each person will need a doctor, known as an attending medical practitioner, to be their primary carer through the steps of the service. Not all doctors will provide assisted dying services, but they will be able to tell a person who raises it where to find the information they need.

Other health professionals, including nurses, can also provide advice about assisted dying and connect a person to a doctor who can help them.

There are specific steps, medical assessments, and important safeguards as part of accessing the service. These are to check a person is eligible and to make sure each person who meets the criteria is making the decision for themselves, without pressure from anyone else.

A person can continue to access other end of life care, such as palliative or hospice care, while accessing the assisted dying service. A person's attending medical practitioner will discuss other end of life care options as part of discussions about this service.



The framework for the service, the eligibility criteria, and safeguards, are set out in the law, called the End of Life Choice Act 2019.

Find more about this from 7 November on the Assisted Dying Service section of the Ministry of Health website: <https://www.health.govt.nz/ads>.

Assisted dying and other end of life care

Assisted dying does not replace the care a person is already getting. Instead, it provides another option in some circumstances. If a person chooses to access assisted dying services, this option will most likely be in addition to the care they are already getting, such as palliative care.

As part of the assessment process, the attending medical practitioner must ensure a person understands their other options for end of life care. In some situations, this may lead to a person seeking other end of life care if they choose this, for example, referrals to palliative or hospice care in addition to, or instead of, seeking assisted dying.

A person's health care team should support continuity of care and optimisation of their wider care so that their other health needs are addressed during the assisted dying assessment process and/or up until their assisted death takes place. Continuing this care also means that if the person is found not to be eligible for assisted dying or the person chooses not to have an assisted death, their wider health needs continue to be met.

Contacts and where to find more information

Assisted Dying Service website information

From 7 November information about the new Assisted Dying Service will be available on the Ministry of Health website: <https://www.health.govt.nz/ads>.

This will include a public information section with printable information sheets covering:

- overview of the assisted dying service (a copy of this general information sheet is included in the information pack)
- considering assisted dying – Information for a person who is terminally ill and wants to know more about assisted dying
- the assisted dying process – Information for a person who is terminally ill and wants to request assisted dying



- planning for an assisted death – Information for a person who is eligible for assisted dying to support planning for their assisted death
- supporting someone who is using the assisted dying service – Information for whānau, friends, carers or others who are supporting a person who is considering or choosing assisted dying
- assisted dying service – quick reference guide (graphic) (A copy is included with this information pack)
- My Journey, My Needs – assisted dying care plan

The main overview information sheet will also be available in alternative formats and translated languages. These will be added to the website section as they are finalised. Not all of the alternative formats may be ready for 7 November.

The website sections will continue to host a range of useful information and resources for health professionals and health service providers about assisted dying. These pages will be updated for 7 November.

In addition, the training materials for health professionals, along with required training for those delivering assisted dying services, will continue to be available through the Ministry's LearnOnline portal. There is further information about this within the information pack.

[To contact the Assisted Dying Service secretariat](#)

The Assisted Dying Service secretariat is the central point of contact for all public and sector enquires about Assisted Dying Services. This includes questions for the Registrar (assisted dying).

Phone 0800 223 852

Email AssistedDying@health.govt.nz

Find out more about the role of the secretariat within this information pack.

[For public enquiries about seeking a practitioner who provides assisted dying services](#)

If a person is considering assisted dying, they are encouraged to speak to their doctor or someone else in their health care team in the first instance. A person will need to raise assisted dying, as health professionals cannot raise this topic with a person first.

More information for a person considering assisted dying will be available on the Assisted Dying Service public information pages of the Ministry website: <https://www.health.govt.nz/ads>.



The assisted dying information can also be found by searching in web browsers for “Assisted Dying Service” or “assisted dying”, and also searching for “assisted dying” on the Ministry of Health website.

Contact the Support and Consultation for End of Life New Zealand (SCENZ) Group

If a doctor does not provide assisted dying services, or a person does not feel comfortable discussing this with their own doctor, they can contact the SCENZ Group for help to find a doctor who can help.

The SCENZ group maintains the lists of medical and nurse practitioners and psychiatrists who are willing to provide parts of the services.

The secretariat Assisted Dying Service will work and coordinate with the Support and Consultation for End of Life New Zealand (SCENZ) Group for all requests for practitioners who deliver parts of the assisted dying services. This includes for replacement attending medical practitioner, the second medical assessment, and where a psychiatrist assessment is required.

Phone 0800 223 852

Email AssistedDying@health.govt.nz

Media

For media enquires related to the Ministry of Health’s oversight and of the Assisted Dying Service:

Media can email the Ministry media representatives: media@health.govt.nz.

The contact details for the service will be available on the Ministry website from 7 November. Please note the secretariat is available from 8am - 5.30pm Monday to Friday.

Information for health professionals

Health professionals can choose to be involved in providing assisted dying services or supporting the provision of services. They can also choose to not be involved.



Only medical and nurse practitioners can provide assisted dying services as per the process set out in the Act.

Other health professionals may be involved with the care of the person and or provision of information and support. A health professional's involvement may depend on their willingness, their role and scope of practice, and their level of experience or skills.

All health professionals have legal and professional obligations to respond appropriately if a person raises assisted dying with them as part of their everyday roles. Health professionals are not able to suggest assisted dying as an option or initiate the first discussion about assisted dying with the person.

Training is available on the Ministry of Health's **LearnOnline** platform to support understanding of the legal obligations, and duty of care to the person.

The training supports health professionals to be prepared to respond in a respectful and helpful manner should a person raise the subject of assisted dying, and to know where to direct a person who wishes to access this service.

Please refer to the information sheet for health professionals for additional information. This is included alongside this pack as a resource and is also available on the Ministry website.

Resources and training

As well as visiting the LearnOnline portal for a range of assisted dying training and resources, there is material on the Ministry website about assisted dying. This includes:

- **the conversation guide and accompanying handbook**, to support registered health professionals to respond appropriately and respectfully if a person raises assisted dying with them.
- **three care pathways for assisted dying services** to reflect that while a person may raise assisted dying with any health practitioner, not all health practitioners will provide these services. These are for: medical practitioners who do not provide assisted dying services for reasons of conscientious objection or as they do not have the appropriate skills or experience (reasons of competency); health practitioners (not including medical practitioners) who cannot provide assisted dying services; and for medical and nurse practitioners who will provide assisted dying services.



- **The Standard of care** outlines best practice in administering assisted dying medication to ensure safe service delivery for people and whānau.

Information for practitioners who are willing to provide the services

There are five e-learning modules for medical and nurse practitioners who plan to provide assisted dying services. These cover the assessment process, preparations for an assisted death, assisted death and after-care, and practitioner safety and wellbeing, as well as a module to review learning.

Medical and nurse practitioners are required to complete the five e-learning modules to claim funding under the section 88 notice. These modules can also be access through [LearnOnline](#).

Practitioners can request access to these modules by emailing AssistedDying@health.govt.nz

Please create a LearnOnline account before emailing, and in the email include: your name, profession, date of birth, email connected to LearnOnline account, and Medical or Nursing Council number.

Practitioners who are willing to provide assisted dying services will be supported by the secretariat Assisted Dying Service. This includes to access information about the IT platform that hosts the forms for the service that practitioners will use and providing support through the steps.

Practitioners are also encouraged to register on the SCENZ lists if they are intending to provide assisted dying services. The registration of interest survey form is available on the Ministry website under the SCENZ Group section.

Practitioners who complete this training or register to be on the SCENZ list will be invited to attend further virtual and in-person training over the coming months.

Registrations of interest for the SCENZ lists

The Act requires the Support and Consultation End of Life New Zealand (SCENZ) Group to oversee assisted dying service lists for:



- replacement attending medical practitioners (where a person seeks the name of a practitioner to provide the service for them. This practitioner will support someone who is terminally ill to make an application for assisted dying, and undertake a first assessment)
- independent medical practitioners (to undertake the second independent assessment)
- psychiatrists (required if one or both of the initial assessments was unable to determine that the person is competent to make a decision).

The SCENZ Group will also hold a list of willing nurse practitioners.

Registrations of interest for medical practitioners, nurse practitioners and psychiatrists to be included on the SCENZ lists opened in mid-August 2021. The list registration will remain open over time and will be enduring.

To access the expression of interest form: <https://consult.health.govt.nz/regulatory-assurance/a4926ee3/>

The SCENZ lists and information held will be secure. The lists will be drawn on by the SCENZ group, who will work with the secretariat at the Ministry, to connect eligible people with practitioners as required.

Assisted dying may be a sensitive or personal topic for some people. Please talk to your employer if you need support, including access to the Employee Assistance Programme (EAP).

Accessing the forms as part of service delivery through a new IT platform

The IT system that practitioners who deliver assisted dying services will use to access and complete the assisted dying forms, and steps of the assisted dying assessments and processes, is called the assisted dying Health Advisory & Regulatory Platform (HARP). This platform is a cloud-based platform that also runs the Vaping system.

The user guidance to the assisted dying (HARP) IT platform contains the user instructions and also the link to access the platform. The guidance will be provided as an A5 booklet by email to all practitioners who are providing the services when they complete the required assisted dying training. Quick reference guides will also be provided after 7 November.

Practitioners will need to use their RealMe credentials to set up their profile and sign into the assisted dying HARP IT platform and to access the assisted dying forms. Further details about this are contained within the user guidance.



The IT system is automated and enables the assisted dying forms to move between the practitioner and the secretariat Assisted Dying Service and other professionals, for example the practitioner providing the second medical opinion, and the psychiatrist assessment if this is required, as part of the assessments, and checks. The Registrar (assisted dying) will ensure the processes and forms are complete and meet the legal requirements before a prescription can be approved for the assisted dying medication.

The IT platform will be ready to use from 7 November, however additional work will continue to improve the user-experience. Refinements will continue over the next few months, with updates scheduled for December and March.

If a practitioner does not want to use the IT system initially or there are technical issues, the secretariat will provide hard copies of the assisted dying forms to participating practitioners via email.

For IT questions related to the assisted dying IT platform please contact: the assisted dying HARP system administrator via email harp-support@health.govt.nz.

If a practitioner is unable to access the system please email the system administrator:
harp-support@health.govt.nz.

Thank you for your support as we work to implement this new IT system.

There will be training and resources about the IT platform added over the coming weeks to LearnOnline. We will keep you updated about this.

Medications

The medications to be used for assisted dying are safe and effective medicines. Use of these medications for assisted dying is what's referred to as an 'off-label' use. That means a medicine is prescribed for an indication or a patient group that is not included in the product information. Prescribing off label is very common.

Medical and nurse practitioners who are providing the assisted dying service will be provided with the Assisted Dying Clinical Guideline covering considerations and requirements related to medications and the administration.

Under the Medicines Act 1981 (section 29) only a medical practitioner is permitted to prescribe unapproved medications. This means that nurse practitioners cannot prescribe medications for assisted dying.



A centralised pharmacy distribution approach through two district health board pharmacies will enable medications kits to be provided on prescription directly to practitioners delivering the services across the country.

For safety reasons the detail of the medication regimes will only be provided directly to the practitioners providing the service. Details and names of the medicines will not be made publicly available due to restrictions on promotion and legislative criteria.

Information for health service providers

Health and disability service providers may care for, and support, people who choose to access assisted dying services.

The level of preparation needed will vary depending on the level of participation the health service provider is likely to have in providing assisted dying services.

There are some actions that all health service providers are encouraged to take, whether or not they intend to provide assisted dying services. These include:

- ensuring staff are prepared and supported for when assisted dying is available, including how to appropriately respond to requests about assisted dying
- considering how the provider can respond respectfully and appropriately to a person requesting this option, including ensuring continuity of care is possible
- considering what care pathways may look like for patients who request assisted dying and may have to move between services.

All health and disability service providers should have policies and procedures in place to support their staff so that they can respond appropriately if a person in the service provider's care asks for information about assisted dying or to access assisted dying services.

Policies or procedures may vary between service providers based on the level of involvement in assisted dying services.

There is policy guidance for community and primary care health and disability service providers on the **Ministry website**.



There is policy guidance is for district health boards on the **Ministry website**.

Providers can tailor this policy guidance to their own context and level of involvement in providing assisted dying services.

Additional background

The End of Life Choice Act 2019

The End of Life Choice Act 2019 (the Act) gives people who experience unbearable suffering from a terminal illness the option of legally asking for medical assistance to end their lives.

The Act outlines the legal framework for assisted dying, and includes controls, eligibility criteria and safeguards. A person who seeks assisted dying must be making an informed decision of their own accord.

The Act will come in to force 12 months after the public referendum held at the 2020 General Election.

Assisted dying becomes legally available from 7 November 2021.

What do assisted dying services involve?

- Supporting someone who is terminally ill to make an application for assisted dying, and undertaking a first assessment. This is done by an attending medical practitioner (the person's doctor).
- Undertaking a second independent assessment. This is done by a second medical practitioner from the SCENZ lists.
- A third assessment by a psychiatrist from the SCENZ list may be undertaken, if one or both of the initial assessments was unable to determine that the person is competent to make a decision.
- Confirming that someone is eligible for assisted dying.
- The Registrar (assisted dying) will check that the processes required under the law have been complied with.
- Provision of the assisting dying service (administering the medication), by the attending medical practitioner or an attending nurse practitioner under their supervision



About the eligibility criteria

There are strict eligibility criteria for assisted dying. Not everyone with a terminal illness will be eligible for assisted dying. The Act states that to be eligible, the person must meet all of the criteria. The person must be:

- aged 18 years or over
- a citizen or permanent resident of New Zealand
- suffering from a terminal illness that is likely to end their life within six months
- in an advanced state of irreversible decline in physical capability
- experiencing unbearable suffering that cannot be relieved in a manner that the person considers tolerable
- competent to make an informed decision about assisted dying.

A person with a disability or mental illness can access assisted dying if they meet the above criteria. A person can't access assisted dying solely because they have a mental disorder or mental illness, have a disability or are of advanced age.

About the secretariat Assisted Dying Service

The Assisted Dying Service is overseen by the Ministry of Health Manatū Hauora.

The Assisted Dying Service secretariat provides a consistent point of contact and oversight of the service. This includes a consistent point of contact for the person, their whānau, and involved health practitioners.

The Registrar (assisted dying) is part of the secretariat. Their role checks that the processes required by the Act have been complied with to ensure people who wish to receive assisted dying are eligible and notifying the person's doctor, known as the attending medical practitioner, if they are satisfied that the processes have been complied with before the administration of assisted dying medication.

The secretariat also includes clinical advisors who provide information and support to help the person and their whānau navigate the steps in the assisted dying services, and provide follow up pastoral support following an assisted death.

The secretariat will work with the Support and Consultation for End of Life New Zealand (SCENZ) Group to identify practitioners from the SCENZ lists to undertake the assessment processes.



The secretariat can be contacted by health professionals, practitioners choosing to provide assisted dying services, and health service providers if there are questions about assisted dying:

Phone 0800 223 852

Email AssistedDying@health.govt.nz.

Delivery and funding of the service

Assisted dying services are delivered as a service between medical and nurse practitioners, working with the secretariat Assisted Dying Service at the Ministry of Health, along with advice and support from the Support and Consultation for End of Life New Zealand (SCENZ) Group.

Assisted dying services are most likely to be provided in a person's home or other community settings, rather than in hospital settings. Public hospitals are required to be a facility of last resort for assisted dying under the Crown Funding Agreement. District Health Boards (DHBs) are not expected to provide appropriately qualified staff to directly provide the assisted dying service.

Medical practitioners and nurse practitioners working in primary care, private practice and other non-district health board settings who provide parts of the service can receive funding on a fee for service basis for the parts of the process they provide.

The funding mechanism to pay health practitioners for providing parts of the assisted dying service has been created through a Section 88 Notice (the notice), under the New Zealand Public Health and Disability Act 2000.

The notice sets out five main modules with a fixed price payment that can be claimed, based on an estimate of the number of hours involved for the services. A travel allowance can also be claimed.

For details of this, and the notice and user guide visit the Assisted Dying Service provision and funding section of the Ministry website: <https://www.health.govt.nz/ads>

Contentious objection

Any health practitioner may conscientiously object to providing or supporting the provision of assisted dying services. Regardless of personal belief, health practitioners must understand and meet their legal and professional obligations by ensuring continuity of care is maintained for the person and access to lawful medical treatment is not being inhibited.



Health practitioners who conscientiously object to assisted dying should be prepared to respond appropriately if assisted dying is raised with them by someone in their care.

If a medical practitioner with a conscientious objection is asked by a person in their care about assisted dying, they have certain responsibilities under the Act. They must:

- inform the person of their objection
- tell the person they have the right to ask the SCENZ Group for the name and contact details of a medical practitioner who is willing to participate in assisted dying.

Health practitioners are encouraged to support a person to access assisted dying services by connecting the person to an appropriate medical practitioner. This may be through a referral, or telling them about the SCENZ Group, and the Assisted Dying Service website information:

<https://www.health.govt.nz/ads>.

Training is available on the Ministry of Health's LearnOnline platform to support understanding of the legal obligations, and duty of care to the person.

Roles in the delivery of the services

Medical practitioners and nurse practitioners

The Act requires assessments to determine eligibility for assisted dying to be undertaken by two medical practitioners; and a psychiatrist if there is uncertainty about whether someone is competent to request assisted dying.

The Act specifies roles for medical and nurse practitioners related to the provision of assisted dying. It is acknowledged that the scope of practice for nurse practitioners is restricted under the Act.

Determining a person's eligibility for an assisted death can only be done by a medical practitioner. The administration of assisted dying medication can only be done by a medical practitioner, or a nurse practitioner (under the instruction of a medical practitioner).

Nurse practitioners can be involved in the planning of assisted dying with the person and their whānau and can be with the person to administer medicines or supervise self-administration if that is what the person chooses.

A **medical practitioner** means a doctor who is registered with the Medical Council of New Zealand, and who holds a practising certificate.



A **nurse practitioner** has advanced education, clinical training and the demonstrated competence and legal authority to practise beyond the level of a registered nurse.

Role of pharmacists

Pharmacists in general won't be required to be involved in the dispensing or supply the medications as part of this service.

Pharmacies do have important roles in the community, and it will be important for pharmacists and pharmacy staff to have a general understanding of the law, and where to find information if needed should they be asked about the assisted dying service.

A centralised pharmacy distribution approach through two district health board pharmacies will enable medications kits to be provided on prescription directly to practitioners delivering the services across the country.

The role of nurses, allied health and other health professionals

The wider health workforce, including nurses, allied health professionals and non-registered health professionals, provide ongoing care of people at critical times in their lives, and it is anticipated that these professionals would continue to provide support and wider care for a person who may choose to seek assisted dying.

Training is available for all health professionals on the Act, the assisted dying care pathway and responding when a person raises assisted dying.

More information about how different health professionals may be involved in assisted dying can be found – [link to info sheet about health professionals](#).

The role of district health boards

Public hospitals are required to be a facility of last resort for assisted dying under the Crown Funding Agreement. District Health Boards (DHBs) are not expected to provide appropriately qualified staff to directly provide the assisted dying service.

Appropriately qualified DHB staff can potentially provide the assisted dying service if they wish to and as agreed as part of their DHB role. In these situations, the practitioner and the DHB do not receive any additional funding.



Practitioners employed by DHBs could also provide the service as part of their private practice (outside their DHB role). In these situations, practitioners could access funding under section 88.

Assisted dying may be a sensitive or personal topic for some people. Please talk to your employer if you need support, including access to the Employee Assistance Programme (EAP).

Please contact us for questions about this information pack: AssistedDying@health.govt.nz.