

# Section 107

1 psychiatrist, or psychologist, a patient has the ability to make and  
2 communicate an informed decision to health care providers, including  
3 communication through persons familiar with the patient's manner of  
4 communicating if those persons are available.

5 (4) "Consulting physician" means a physician who is qualified by  
6 specialty or experience to make a professional diagnosis and prognosis  
7 regarding the patient's disease.

8 (5) "Counseling" means one or more consultations as necessary  
9 between a state licensed psychiatrist or psychologist and a patient for  
10 the purpose of determining that the patient is competent and not  
11 suffering from a psychiatric or psychological disorder or depression  
12 causing impaired judgment.

13 (6) "Health care provider" means a person licensed, certified, or  
14 otherwise authorized or permitted by law to administer health care or  
15 dispense medication in the ordinary course of business or practice of  
16 a profession, and includes a health care facility.

17 (7) "Informed decision" means a decision by a qualified patient, to  
18 request and obtain a prescription for medication that the qualified  
19 patient may self-administer to end his or her life in a humane and  
20 dignified manner, that is based on an appreciation of the relevant  
21 facts and after being fully informed by the attending physician of:

22 (a) His or her medical diagnosis;

23 (b) His or her prognosis;

24 (c) The potential risks associated with taking the medication to be  
25 prescribed;

26 (d) The probable result of taking the medication to be prescribed;  
27 and

28 (e) The feasible alternatives including, but not limited to,  
29 comfort care, hospice care, and pain control.

30 (8) "Medically confirmed" means the medical opinion of the  
31 attending physician has been confirmed by a consulting physician who  
32 has examined the patient and the patient's relevant medical records.

33 (9) "Patient" means a person who is under the care of a physician.

34 (10) "Physician" means a doctor of medicine or osteopathy licensed  
35 to practice medicine in the state of Washington.

36 (11) "Qualified patient" means a competent adult who is a resident  
37 of Washington state and has satisfied the requirements of this chapter

1 in order to obtain a prescription for medication that the qualified  
2 patient may self-administer to end his or her life in a humane and  
3 dignified manner.

4 (12) "Self-administer" means a qualified patient's act of ingesting  
5 medication to end his or her life in a humane and dignified manner.

6 (13) "Terminal disease" means an incurable and irreversible disease  
7 that has been medically confirmed and will, within reasonable medical  
8 judgment, produce death within six months.

9 **Written Request for Medication to End Life**  
10 **in a Humane and Dignified Manner**

11 NEW SECTION.

12 **Sec. 2.**

13 WHO MAY INITIATE A WRITTEN REQUEST FOR

14 MEDICATION. (1) An adult who is competent, is a resident of Washington  
15 state, and has been determined by the attending physician and  
16 consulting physician to be suffering from a terminal disease, and who  
17 has voluntarily expressed his or her wish to die, may make a written  
18 request for medication that the patient may self-administer to end his  
19 or her life in a humane and dignified manner in accordance with this  
20 chapter.

(2) A person does not qualify under this chapter solely because of  
age or disability.

21 NEW SECTION.

22 **Sec. 3.**

23 **FORM OF THE WRITTEN REQUEST.**

(1) A valid  
24 request for medication under this chapter shall be in substantially the  
25 form described in section 22 of this act, signed and dated by the  
26 patient and witnessed by at least two individuals who, in the presence  
27 of the patient, attest that to the best of their knowledge and belief  
the patient is competent, acting voluntarily, and is not being coerced  
to sign the request.

(2) One of the witnesses shall be a person who is not:

(a) A relative of the patient by blood, marriage, or adoption;

(b) A person who at the time the request is signed would be  
entitled to any portion of the estate of the qualified patient upon  
death under any will or by operation of law; or

(c) An owner, operator, or employee of a health care facility where  
the qualified patient is receiving medical treatment or is a resident.

1 causing impaired judgment, either physician shall refer the patient for  
2 counseling. Medication to end a patient's life in a humane and  
3 dignified manner shall not be prescribed until the person performing  
4 the counseling determines that the patient is not suffering from a  
5 psychiatric or psychological disorder or depression causing impaired  
6 judgment.

7 NEW SECTION. Sec. 7. INFORMED DECISION. A person shall not  
8 receive a prescription for medication to end his or her life in a  
9 humane and dignified manner unless he or she has made an informed  
10 decision. Immediately before writing a prescription for medication  
11 under this chapter, the attending physician shall verify that the  
12 qualified patient is making an informed decision.

13 NEW SECTION. Sec. 8. FAMILY NOTIFICATION. The attending  
14 physician shall recommend that the patient notify the next of kin of  
15 his or her request for medication under this chapter. A patient who  
16 declines or is unable to notify next of kin shall not have his or her  
17 request denied for that reason.

18 NEW SECTION. Sec. 9. WRITTEN AND ORAL REQUESTS. To receive a  
19 prescription for medication that the qualified patient may self-  
20 administer to end his or her life in a humane and dignified manner, a  
21 qualified patient shall have made an oral request and a written  
22 request, and reiterate the oral request to his or her attending  
23 physician at least fifteen days after making the initial oral request.  
24 At the time the qualified patient makes his or her second oral request,  
25 the attending physician shall offer the qualified patient an  
26 opportunity to rescind the request.

27 NEW SECTION. Sec. 10. RIGHT TO RESCIND REQUEST. A patient may  
28 rescind his or her request at any time and in any manner without regard  
29 to his or her mental state. No prescription for medication under this  
30 chapter may be written without the attending physician offering the  
31 qualified patient an opportunity to rescind the request.

32 NEW SECTION. Sec. 11. WAITING PERIODS. (1) At least fifteen days

1 NEW SECTION. **Sec. 22.** FORM OF THE REQUEST. A request for a  
2 medication as authorized by this chapter shall be in substantially the  
3 following form:

4 REQUEST FOR MEDICATION TO END MY LIFE IN A HUMAN AND DIGNIFIED MANNER

5 I, . . . . ., am an adult of sound mind.

6 I am suffering from . . . . ., which my  
7 attending physician has determined is a terminal disease and which has  
8 been medically confirmed by a consulting physician.

9 I have been fully informed of my diagnosis, prognosis, the nature  
10 of medication to be prescribed and potential associated risks, the  
11 expected result, and the feasible alternatives, including comfort care,  
12 hospice care, and pain control.

13 I request that my attending physician prescribe medication that I  
14 may self-administer to end my life in a humane and dignified manner and  
15 to contact any pharmacist to fill the prescription.

16 INITIAL ONE:

17 . . . . . I have informed my family of my decision and taken their  
18 opinions into consideration.

19 . . . . . I have decided not to inform my family of my decision.

20 . . . . . I have no family to inform of my decision.

21 I understand that I have the right to rescind this request at any  
22 time.

23 I understand the full import of this request and I expect to die  
24 when I take the medication to be prescribed. I further understand that  
25 although most deaths occur within three hours, my death may take longer  
26 and my physician has counseled me about this possibility.

27 I make this request voluntarily and without reservation, and I  
28 accept full moral responsibility for my actions.

29 Signed: . . . . .

30 Dated: . . . . .

31 DECLARATION OF WITNESSES

32 By initialing and signing below on or after the date the person  
33 named above signs, we declare that the person making and signing the  
34 above request: