

House of Representatives

Supplementary Order Paper

Tuesday, 20 August 2019

End of Life Choice Bill

Proposed amendment

Simeon Brown, in Committee, to move the following amendment:

Clause 8

Replace *clause 8(2)* (page 6, lines 4 to 32) with:

- (2) The attending medical practitioner must—
 - (a) give the person the following information:
 - (i) an accurate prognosis for the terminal illness; and
 - (ii) the irreversible nature of assisted dying; and
 - (iii) the anticipated impacts of assisted dying on whānau; and
 - (iv) confirm the presence of a translation service provider where the patient is unable, uncomfortable, or unwilling to engage in discussion in English, Māori, or New Zealand Sign Language; and
 - (v) ensure that a translation service provider is present where the attending medical practitioner is unable to comprehend the patient's preferred language; and
 - (b) ensure that an audio or audio-visual recording is made of the conversation under **paragraph (a)** immediately after the medical practitioner becomes aware of the patient's wish, and that the recording is held on file for review if requested by counsellors, any other attending medical practitioners, or persons with legal authority to do so; and
 - (c) talk face to face with the person about their wish at intervals determined by the progress of their terminal illness; and

- (d) ensure that the person has exhausted all options for end-of-life care; and
- (e) ensure that the person knows that they can change their mind at any time before the administration of the medication; and
- (f) require the person to talk about their wish with at least two others such as family, friends, and counsellors in separate audio- or audio-visual-recorded meetings or conversations; and
- (g) verify that the person has talked about their wish with at least two other people other than the attending medical practitioners or fellow patients; and
- (h) certify beyond all reasonable doubt that the person expresses their wish free from undue influence or pressure from any other person by—
 - (i) talking with other health practitioners who are in regular contact with the person; and
 - (ii) talking with members of the person’s family; and
 - (iii) talking to any other person that the health practitioner may determine as necessary to ensure the absence of coercion; and
 - (iv) talking to any other person the health practitioner may determine as necessary to ensure the absence of abuse; and
- (i) complete the first part of the prescribed form requesting the option of assisted dying by recording the actions the attending medical practitioner took to comply with **paragraphs (a) to (h)**.

Explanatory note

This Supplementary Order Paper amends *clause 8* of the End of Life Choice Bill to ensure that an attending medical practitioner, upon receiving a request, gives their patient the ability to request a translator before any further steps regarding the request are undertaken, and that the patient has been able to consult with family and other individuals they trust so there is clarity of the patient’s request beyond reasonable doubt, with key steps of the discussions being recorded for review.