

A decorative banner at the top of the page featuring a watercolor-style illustration of green and blue leaves. A light blue rectangular box is overlaid on the left side of this banner, containing the text 'Voluntary assisted dying'.

Voluntary assisted dying

Overview of voluntary assisted dying

The Parliament of New South Wales passed the [**Voluntary Assisted Dying Act 2022**](#) (the Act) on 19 May 2022. The Act will allow eligible people the choice to access voluntary assisted dying in NSW from 28 November 2023.

NSW Health is preparing for voluntary assisted dying to become available in NSW within 18 months. This includes the establishment of an Implementation Committee to oversee the implementation of the Act and to provide expert guidance.

What is voluntary assisted dying?

Voluntary assisted dying means an eligible person can ask for medical help to end their life. The person must be in the late stages of an advanced disease, illness or medical condition. They must also be experiencing suffering they find unbearable.

If a person meets all the criteria and the steps set out in the law are followed, they can take or be given a voluntary assisted dying substance to bring about their death at a time they choose. The substance must be prescribed by an authorised voluntary assisted dying practitioner.

'Voluntary' means the choice must be the person's own. The person must have decision making capacity throughout the entire process to access voluntary assisted dying.

Certain criteria need to be met to access voluntary assisted dying

The Act states that people in NSW will only be able to receive access to voluntary assisted dying if they meet all of the following criteria.

1. They must be an adult (18 years and older), who is an Australian citizen, a permanent resident of Australia, or have been resident in Australia for at least three continuous years.
2. They must have been living in NSW for at least 12 months.
3. They must have at least one disease, illness or medical condition that is advanced, progressive and:
 - a. Will, on the balance of probabilities, cause their death within six months (or within 12 months for neurodegenerative diseases like motor neurone disease), and
 - b. Is causing the person suffering that cannot be relieved in a way the person considers tolerable.
4. They must have decision-making capacity in relation to voluntary assisted dying and be acting voluntarily.
5. They must have the ability to make and communicate requests and decisions about voluntary assisted dying throughout the formal request process.

What will happen during the implementation period?

The law requires specific governance arrangements and processes to be put in place. This is important to ensure voluntary assisted dying is safe, appropriate and follows the law.

The 18-month implementation period allows NSW Health to work with the community and a broad range of health, aged care and other stakeholders to implement the framework set out in the legislation.

What is NSW Health doing to prepare for voluntary assisted dying?

An implementation project is underway to ensure that voluntary assisted dying is implemented as legislated in NSW.

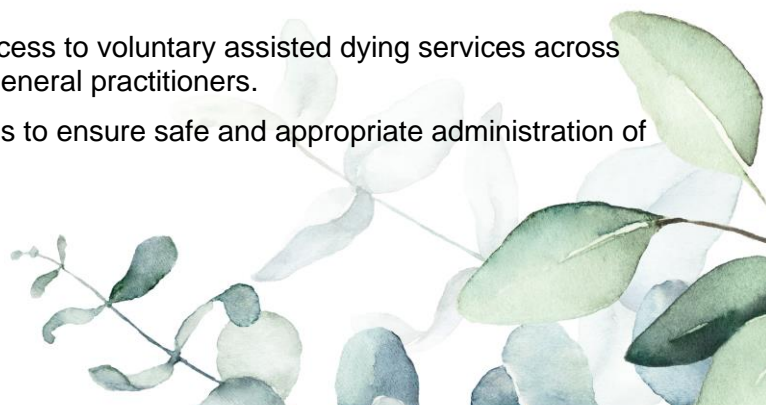
NSW Health has established an Implementation Committee, supported by an implementation team.

The Implementation Committee and team:

- oversees and guides the establishment of the specific governance arrangements and processes as required by the law
- works with numerous health representatives and stakeholders
- develops detailed plans in order to implement voluntary assisted dying in NSW.

In addition, the following will also be established:

- A Voluntary Assisted Dying Board and secretariat.
- A state-wide framework for safe and appropriate access to voluntary assisted dying services across public health and private facilities, and community general practitioners.
- State-wide pharmaceutical protocols and procedures to ensure safe and appropriate administration of the approved substances.



- A care navigator service to provide advice, information and support to the community and clinicians.
- Education and training programs for clinicians choosing to support access to voluntary assisted dying.

This webpage will be updated regularly and more information will become available as we get closer to the time when voluntary assisted dying will become available to eligible people.

How is access for people in rural and regional areas being considered?

NSW Health is working with the health sector including residential aged care and disability care services to support eligible patients to access voluntary assisted dying regardless of their geographic location.

NSW Health is also working to identify a group of authorised practitioners to provide voluntary assisted dying services locally. The NSW Voluntary Assisted Dying Care Navigator Service will be able, in some circumstances, to support local health districts to connect patients to authorised voluntary assisted dying practitioners.

What is the Voluntary Assisted Dying Care Navigator Service and what role does it play?

The Voluntary Assisted Dying Care Navigator Service will be available to provide support to anyone involved with voluntary assisted dying in NSW. This includes patients, the family and carers of patients, members of the community, health practitioners and service providers.

The care navigator service will:

- provide information and support to patients and other community members with questions about or wishing to seek access to voluntary assisted dying
- support queries from practitioners and coordinate ongoing training and support for coordinating, consulting and administering practitioners
- advise patients how to raise voluntary assisted dying with their clinical care team and, in some circumstances, connect them with coordinating, consulting, and administering practitioners.

What is the Voluntary Assisted Dying Pharmacy Service and what role does it play?

The Voluntary Assisted Dying Pharmacy Service will be responsible for coordinating the safe procurement, supply and disposal of the voluntary assisted dying substance across NSW.

The Pharmacy Service will support patient access to the voluntary assisted dying substance regardless of their setting. For example, the patient may be in their home, at a residential care facility or a public hospital.

What is the Voluntary Assisted Dying Board and what role does it play?

The [Voluntary Assisted Dying Board](#) is an independent oversight and decision-making body with responsibility for performing the functions and exercising the powers conferred upon it by the Act.

Key functions of the Board will include to:

- monitor and report on the operation of the Act
- decide whether to approve or refuse applications for access to voluntary assisted dying
- keep a list of registered health practitioners who are willing to provide voluntary assisted dying services.

The Board will consist of five members jointly appointed by the Minister for Health and Attorney General by Gazette notice. The Board must include two legal practitioners, two medical practitioners and one member who has knowledge, skills or experience relevant to the Board's functions.

Applications for the Board have closed, and appointments will be made in the coming months.

Voluntary assisted dying and palliative care

NSW Health is committed to working closely with local health districts, the broader health sector and key stakeholders in the development of resources for clinicians, health care workers, consumers, their families and the wider community. Three advisory groups guide implementation of voluntary assisted dying:

The **Clinical Advisory Group** is responsible for providing advice to the Voluntary Assisted Dying Implementation Committee on clinical matters relating to voluntary assisted dying. The Advisory Group includes representatives across a range of specialty areas and geographic regions.

The Clinical Advisory Group has multiple functions, including:

to develop clinical guidelines for use in NSW

to provide input and expertise into the development of other key deliverables as required.

The **Consumer Engagement Advisory Group** provides a mechanism for information sharing with consumers and communities, and an opportunity for targeted consultation on consumer engagement, messaging and information. The Advisory Group includes members representing priority groups including Aboriginal people, culturally and linguistically diverse communities, older and younger people and people who live in rural and remote areas.

Through input into key deliverables, the Consumer Engagement Advisory Group helps to develop a voluntary assisted dying service that is safe, accessible, well understood and as seamless as possible for patients and their families.

The **Health Ethics Advisory Panel** is an existing multi-disciplinary panel with expertise in health ethics, clinical practice, consumer concerns and community issues which is providing guidance on ethical considerations including for voluntary assisted dying.

NSW Health is also working closely with local health districts and other Health agencies to establish care pathways to support eligible patients across NSW to access voluntary assisted dying, if this aligns with their goals of care.

NSW Health is committed to working closely with these groups in the development of resources for clinicians and other health care workers, consumers, their families and the wider community.

Further information

- The Voluntary Assisted Dying Act 2022 is available on the [NSW Legislation website](#)
- Information on the Bill and the debate is available on the [NSW Parliament website](#)
- Victoria, Western Australia, Tasmania, South Australia and Queensland have implemented voluntary assisted dying, Each state has its own legislative framework that is different to NSW law.
- [Information for community](#) including access to other support services including palliative care and mental health.
- [Information for health providers](#).

