

Voluntary assisted dying

What is voluntary assisted dying and who is eligible?

The information on this document is a summary of the [First request patient information guide - Voluntary assisted dying](#). Please read this page and the guide together.

Voluntary assisted dying

Voluntary assisted dying means an eligible person can ask for medical help to end their life. The person must have an advanced and progressive disease, illness, or medical condition that is expected to cause their death within six months (or 12 months for neurodegenerative diseases like motor neurone disease). They must also be experiencing suffering that can't be relieved in a way that is acceptable to them.

A person must meet the eligibility criteria and follow all the legal steps for voluntary assisted dying to happen. This will allow them to take or be given a medication to bring about their death at a time that they choose.

Voluntary assisted dying and suicide are different. Asking for medical help to die is **not** suicide under the law in NSW.

Eligibility criteria

People can only access voluntary assisted dying in NSW if they meet all the eligibility criteria and follow the process outlined in the law. This includes getting approval from the [NSW Voluntary Assisted Dying Board](#).

A person must meet all eligibility criteria in order to access voluntary assisted dying. To be eligible to access voluntary assisted dying, a person must:

- be an adult (18 years or over) who:
 - is an Australian citizen, or
 - is a permanent resident of Australia, or
 - has been a resident in Australia for at least three continuous years when the first request is made
- have been living in NSW for at least 12 months when the first request is made*
- have at least one disease, illness or medical condition that:
 - is advanced and progressive
 - will, on the balance of probabilities, cause a person's death within six months (or within 12 months for neurodegenerative diseases like motor neurone disease), and
 - is causing the person suffering that cannot be relieved in a way they consider tolerable
- have decision-making capacity in relation to voluntary assisted dying
- be acting voluntarily (their own choice) and not because of pressure or duress from another person
- have an enduring request for voluntary assisted dying. This means it is continuous, ongoing, and lasting over a period of time.

The Act says that a person is not eligible for voluntary assisted dying just because they have a disability, dementia or a mental health impairment.

A person with a disability, dementia or a mental health impairment may be able to access voluntary assisted dying as long as they meet all eligibility criteria. Importantly, they must be able to make and communicate their own decisions.

*People may still be eligible to access voluntary assisted dying in NSW if they have not been ordinarily resident in NSW for at least 12 months if they receive a [residency exemption](#) from the Voluntary Assisted Dying Board.

Costs

There are no additional costs for voluntary assisted dying. It is free to call the [NSW Voluntary Assisted Dying Care Navigator Service](#).

The usual costs to see a general practitioner, private doctor or specialist may apply. You should discuss any potential costs with your doctor at the start of the process.

