

VOLUNTARY ASSISTED DYING — ANNUAL REPORT — PATIENT-ADMINISTERED SUBSTANCES

1166. Hon Nick Goiran to the Leader of the House representing the Minister for Health:

I refer to page 39 of the *Voluntary Assisted Dying Board Western Australia Annual Report 2021–22* that states, the Board notes that '[w]hen a self-administration decision is made, a patient is required to independently prepare the voluntary assisted dying substance. Under the *Voluntary Assisted Dying Act 2019* the patient cannot be assisted with preparing the substance (which includes decanting, mixing etc.) or with the physical act of ingesting the substance. This includes assistance with using their PEG or NG tube. If the patient is unable to independently undertake these actions or is concerned about their ability to undertake these actions, self-administration is not a suitable option and a practitioner administration decision is made to assist with these actions.' However, the Board then immediately goes on to recommend that 'section 58 of the *Voluntary Assisted Dying Act 2019* be expanded for the Contact Person or other nominated person to be able to assist the patient in the preparation of the prescribed substance when self-administration is preferred by the patient.'; and I ask:

- (a) if section 58 of the *Voluntary Assisted Dying Act 2019* were amended in line with the Board's recommendation above, could the administration still be considered the self-administration of the voluntary assisted dying substance by the patient given that they are receiving a form of assistance from another person;
- (b) who might be considered to be a 'nominated person' able to assist a patient in administering a voluntary assisted dying substance; and
- (c) would this person have to be nominated by the patient at the time at which they make their Administration Decision or could this person be any person attending the patient at the time of administration, for example, a spouse, family member or friend, who observes that the patient requires some assistance?

Hon Sue Ellery replied:

- (a) Yes.
- (b) This would need to be determined following consultation with key stakeholders.
- (c) This would need to be determined following consultation with key stakeholders.