

# Statutory Waiting Periods in Authorized Medical-Aid-In-Dying Jurisdictions

	<u>OREGON</u>	<u>WASHINGTON</u>	<u>VERMONT</u>	<u>COLORADO</u>	<u>WASHINGTON, D.C.</u>
<b>Waiting Period Between 1st and 2nd Oral Requests</b>	15 days	15 days	15 days	15 days	15 days
<b>Prescription-related Waiting period</b>	48 hours or more between the patient's written request and the writing of a prescription.	48 hours or more between the patient's written request and the writing of a prescription.	None. Effective April 2022, <a href="#">S.74</a> eliminated the prescription-related waiting period.	None	48 hours or more between the patient's written request and the writing of a prescription.
<b>Waiver of 1st, 2nd, or Prescription-Related Waiting Period if Patient Unlikely to Survive</b>	Yes. A patient is exempt from any waiting period that exceeds their life expectancy.	No	No	No	No
<b>Statutory Description of Waiting Period Between 1st and 2nd Oral Requests</b>	"[A] qualified patient shall have made an oral request and a written request, and reiterate the oral request to his or her attending physician no less than 15 days after making the initial oral request." <a href="#">Oregon Attending Physician's Compliance form</a> , states the second request "[m]ust be 15 days or more after the first oral request unless patient is exempt."	"[A] qualified patient shall have made an oral request and a written request, and reiterate the oral request to his or her attending physician at least 15 days after making the initial oral request." <a href="#">The Washington Attending Physician's Compliance form</a> states the second oral request "[m]ust be made 15 days or more after the first oral request."	A patient "made an oral request to the physician" and "[n]o fewer than 15 days after the first oral request, the patient makes a second oral request to the physician.	"[A qualified individual] must make 2 oral requests, separated by at least 15 days, and a valid written request to his or her attending physician." <a href="#">The Colorado Attending/Prescribing Physician form</a> states the second request "must be made 15 days or more after the first oral request."	"[A] patient shall [m]ake 2 oral requests, separated by at least 15 days, to an attending physician." <a href="#">The DC FAQs</a> state: "[T]he second oral request cannot be made any sooner than fifteen (15) days after the first oral request."
<b>Example of Time Period Based on Waiting Period Description</b>	1st request on June 1st and 2nd request on June 16th or later.	1st request on June 1st and 2nd request on June 16th or later.	1st request on June 1st and 2nd request on June 16th or later.	1st request on June 1st and 2nd request on June 16th or later.	1st request on June 1st and 2nd request on June 16th or later.

NOTE: Medical aid in dying was authorized in Montana through a court case, not through legislation or ballot measure. Therefore, there is no statutory or specified waiting period in Montana.

current as of 10/2022

	<u>NEW JERSEY</u>	<u>MAINE</u>	<u>CALIFORNIA</u>	<u>HAWAI'I</u>	<u>NEW MEXICO</u>
<b>Waiting Period Between 1st and 2nd Oral Requests</b>	15 days	15 days	48 hours. Changed from 15 days under <a href="#">SB 380</a> , effective January 2022.	20 days	N/A - There is only one written request required in NM.
<b>Prescription-related Waiting period</b>	48 hours or more between the patient's written request and the writing of a prescription.	48 hours or more between the patient's written request and the writing of a prescription.	None	48 hours or more between the patient's written request and the writing of a prescription.	48 hours between the prescription being written and the patient being able to fill the prescription.
<b>Waiver of 1st, 2nd, or Prescription-Related Waiting Period if Patient Unlikely to Survive</b>	No	No	No	No	Yes. A patient is exempt from the waiting period if it exceeds their life expectancy.
<b>Statutory Description of Waiting Period Between 1st and 2nd Oral Requests</b>	"[T]he patient shall make two oral requests and one written request for the medication to the patient's attending physician. . . [and] at least 15 days shall elapse between the initial oral request and the second oral request." The <a href="#">NJ FAQs</a> state the "oral requests must be separated by at least 15 days."	"[A] qualified patient must make an oral request and a written request and reiterate the oral request to the qualified patient's attending physician at least 15 days after making the initial oral request." The <a href="#">Maine Attending Physician Reporting Form</a> states the second oral request "must be made 15 days or more after the first oral request."	"An individual seeking to obtain a prescription for an aid-in-dying drug pursuant to this part shall submit 2 oral requests, a minimum of 48 hours apart and a written request to their attending physician." The <a href="#">California Attending Physician Compliance Form</a> does not specify a waiting period, but requires physicians to document two oral requests	"Two oral requests from the patient, separated by not less than twenty days." The <a href="#">Hawai'i Attending Physician Reporting Form</a> says the second oral request "[m]ust not be less than 20 days from the date of the first oral request."	N/A - There is only one written request required in New Mexico.
<b>Example of Time Period Based on Waiting Period Description</b>	1st request on June 1st and 2nd request on June 16th or later.	1st request on June 1st and 2nd request on June 16th or later.	1st request on June 1st and 2nd request on June 3rd or later.	1st request on June 1st and 2nd request on June 21st or later.	N/A

**NOTE:** This chart includes statutory waiting periods. Patients should expect a longer period of time to complete the entire process in each jurisdiction.

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