

The District of Columbia's Death with Dignity Act

Information for District of Columbia Residents

Who Is Eligible for Medical Aid in Dying?

To be eligible for medical aid in dying under the D.C. law, an individual must be:

- » An adult
- » Terminally ill
- » Given a prognosis of six months or less to live
- » Mentally capable of making their own healthcare decisions

An individual must also be:

- » A resident of the District of Columbia
- » Acting voluntarily
- » Making an informed decision that includes being given information about all other end-of-life options
- » Informed that he or she may choose to obtain the aid-in-dying medication but not take it
- » Capable of self-administering and ingesting the aid-in-dying medication

Two physicians must consult with the individual and agree that they are eligible to use the D.C. Death with Dignity Act. One physician prescribes the medication, and the other gives a consulting opinion. If either physician is unable to determine whether the individual has mental capacity in making the request, a mental health professional (psychiatrist or psychologist) must evaluate the individual and ensure that they are capable of making their own healthcare decisions.

What is the District of Columbia Death with Dignity Act?

D.C. became the seventh jurisdiction in the U.S. where medical aid in dying is authorized following an 11-2 vote by the D.C. Council on November 15, 2016 and signing of the bill by Mayor Muriel Bowser on December 20, 2016.¹

The law allows a mentally capable, terminally ill adult with six months or less to live to request aid-in-dying medication from their doctor for self-administration, if his or her suffering becomes unbearable, to bring about a peaceful death. The law went into effect on February 18, 2017.

Steps for Using the D.C. Law to Access Medical Aid in Dying

In addition to the requirements listed previously, a process must be followed in order for an individual to qualify for a prescription for aid-in-dying medication. A person must:

- » Make a total of three (3) voluntary requests — two oral requests at least 15 days apart and one written request — using the statutory form, signed by two witnesses (see next section for who may and may not serve as a witness), **directly to the doctor**. The written request form can be given to the doctor in the same visit as the first or second oral request, as long as it is given before the second oral request is made. Note: The requests cannot be made by a designee or third party (including relatives or anyone with power of attorney), and the request cannot be made via an advance healthcare directive.

- » Have the physical ability to self-administer the aid-in-dying medication by ingesting it.
- » Prove residency in the District of Columbia
- » Make an informed decision to choose medical aid in dying as an option after the doctor provides full information on all end-of-life care options.

Note: An individual may at any time withdraw the request for the aid-in-dying medication or decide not to ingest it.

Rules Regarding Witnesses to Medical Aid-in-Dying Requests

To access medical aid in dying, a person must have two witnesses sign the statutory request form in the presence of the individual requesting aid-in-dying medication. The State Department of Health will be uploading information and forms to its website and you can also access the patient request form at: <https://www.compassionandchoices.org/district-of-columbia>

Specifically, the D.C. Death with Dignity Act requires that:

- » The two adult witnesses attest that, to the best of their knowledge and belief, the person requesting the medication:
- » Is known to them or has provided proof of identity
- » Voluntarily signed the request in their presence
- » Appears to be of sound mind and is not under duress, fraud or undue influence
- » Only one of the two witnesses may be related by blood, marriage or adoption; or be a person entitled to a portion of the person's estate upon death.
- » Only one of the two witnesses may own, operate or be employed at a healthcare facility where the

qualified individual is receiving medical treatment or resides.

- » The individual's attending physician, qualified power of attorney or durable medical power of attorney may NOT be one of the witnesses.

Additional Provisions of the D.C. Death with Dignity Act

- » Persons With Disabilities or Elderly Persons: The law specifically states that no person can qualify for aid-in-dying medication based on their disability or age.

For more resources, including videos, frequently asked questions and tips on how to talk to your doctor, please visit <https://www.compassionandchoices.org/district-of-columbia>

For more information about the full range of end-of-life options please visit www.compassionandchoices.org/information.

Resources

¹District of Columbia, Death with Dignity Act, Available from: https://custom.statenet.com/public/resources.cgi?id=ID:bill:DC-2015000B38&cuiq=24bec244-9665-58c1-94ba-c4c04c13963a&client_md=a68309e3dfe31df465ec5a24ba617a4b&mode=current_text