New Hampshire Alliance for End of Life Options

The Process of Medical Aid in Dying

Eligible persons must:

- be 18 years or older.
- have a terminal condition with a prognosis of six months or less to live.
- be mentally capable of making an informed health care decision.
- make a written request witnessed by two others.
- be able to take the medication themselves.

1 The Dying Person Requests Medication

The person requests the aid-in-dying medication from a NH-licensed medication prescriber: a physician; osteopath; advanced practice registered nurse; or physician assistant. (Any health care provider or institution is free to decline to assist for reasons of conscience.) The person documents the request in a **written form that is witnessed by two others**. Only one of the witnesses may be a family member, and only one may be employed by the health care facility where the person may be a patient. This provision both encourages good conversation and understanding, and protects against any undue influence.

2 Prescribing Health Care Provider Evaluates the Person

The provider evaluates the person to confirm their eligibility under the Act. They inform the person of all other available treatment options. They confirm the prognosis, that the person understands their diagnosis and prognosis, the potential risks and probable outcome of taking the medication.

3 Consulting Health Care Provider Evaluates the Person

The person then consults a second health care provider who independently evaluates their eligibility under the Act, using the same criteria as above, and reiterating the other treatment options available.

If either provider has doubts about the person's ability to make health care decisions, they refer the person to a mental health professional for evaluation.

4 Persons Enrolled in Hospice

A person enrolled in Medicare-certified hospice meets the Act's six-month prognosis requirement. Such a person would need two consultations to affirm their ability to make health care decisions for themselves, and their ability to self-administer the medication.

5 After two health care providers independently verify the person qualifies,

the first provider may legally prescribe aid-in-dying medications. At any point in the process the dying person may rescind their request for medical aid in dying.

6 The prescription may be filled 48 hours after being written by the health care provider

The dying person then has the option to decide whether or not they will self-administer this medication to end their suffering and die peacefully in their sleep.

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Alleviate Suffering While Protecting the Vulnerable

Twenty-six years of experience in 10 states and the District of Columbia demonstrates that the eligibility requirements and process for qualifying for medical aid in dying help alleviate suffering while protecting vulnerable people.

Request must be written by the terminally ill person

The written request must be signed in front of two witnesses, one of whom can't be related to the patient nor benefit from their death.

Two health care providers evaluate the terminally ill person

Two providers must independently evaluate the terminally ill person to confirm they are eligible for medical aid in dying medication.

Informed decision making

The terminally ill person must be capable of making an informed decision understanding the full impact of their request. If either provider has doubts they must refer the person to a registered mental health professional for evaluation. Lack of mental capability stops the process.

Multiple opportunities to rescind request

The health care providers must review all other treatment and end of life options available to the terminally ill person, provide resources to access these options, and confirm that the terminally ill person is aware they can stop the process at any time.

Only the terminally ill person can request the medication

No one else is authorized to make this request on behalf of the terminally ill individual.

The terminally ill person must be able to self-administer the medication

The terminally ill individual must be able take the medication on their own, by mouth or by other means that are completely controlled and done by them.

A prescription cannot be written until:

- The dying person completes a written request and has two evaluations
- Two health care providers confirm the requesting person is eligible

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