

## **Understanding Our Care, Our Choice**

**By Kerri Okamura**

Doctors and other health care providers may choose to participate in medical aid in dying. It's important for patients to discuss this option with their providers. The DOH strongly recommends enrolling in hospice to ensure all end of life options are available to individuals.

On April 5, 2018, Gov. David Ige signed the Our Care, Our Choice Act.

The Our Care, Our Choice Act provides terminally ill, mentally capable adults with a prognosis of six months or less the option to request medication resulting in a quick, peaceful death.

The law went into effect on Jan. 1 of this year. This new Hawaii law is similar to the laws of other states.

Oregon enacted its medical aid in dying law, known as the Death with Dignity Act in 1997, more than 20 years ago. Medical aid in dying also is legal in California, Colorado, Montana, Vermont, Washington state and Washington, D.C.

The Hawaii Department of Health organized educational sessions on medical aid in dying late in 2018 throughout the State. As the KTA pharmacist, I was able to attend the session for health professionals in late October at the Adult Resource Center.

Valuable information was shared at this educational session, which helped to provide clarity and understanding of the medical aid in dying option. Some of the information is summarized below.

In order to be eligible for medical aid in dying, a person must be:

1. A resident of Hawaii.
2. 18 years of age or older.
3. Terminally ill.
4. Given a prognosis of six months or less to live.

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5. Mentally capable of making their own health care decisions. In other words, the patient has the ability to understand his/her choices for care, including the risk and benefits, and be able to make and communicate health care decisions to health care providers.

6. Acting voluntarily.

7. Able to take the prescribed medication themselves.

The process to request and obtain aid in dying medication can be lengthy. The patient must see two different physicians to confirm diagnosis, prognosis and mental capacity. In addition, the patient's mental capacity must be confirmed by a psychiatrist, psychologist or licensed clinical social worker.

There must be two oral requests to the attending physician, separated by 20 days and a written request. There also is a waiting period of 48 hours between the written request and provision of the prescription.

A qualified patient can rescind the request at any time. Doctors and other health care providers may choose to participate in medical aid in dying. It's important for patients to discuss this option with their providers. The DOH strongly recommends enrolling in hospice to ensure all end of life options are available to individuals.

Once the doctor is ready to issue a prescription, it must be sent directly to the pharmacy. It's important to determine ahead of time which pharmacy will be able to fill the prescription.

There are different drugs or drug combinations used for medical aid in dying. The drug most commonly prescribed is currently unavailable from the manufacturer, with no date on when it will be available again.

The underlying illness will be listed as the cause of death of a person who accesses medical aid in dying. For example, if a person has a diagnosis of terminal cancer, the cause of death will be listed as such on the death certificate.

The law mandates that wills, insurance, contracts and annuities are not affected if an individual chooses to request or utilize medical aid in dying medication.

At KTA, we recognize that choice in how we die is highly personal, not only for the patient, but also for the pharmacist. We allow individual pharmacists to choose

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not to fill the prescription, but as a pharmacy we will honor the wishes of a person who requests medical aid in dying and ensure their prescription is filled.

We hope Our Care, Our Choice allows us to die with grace and dignity in our community.

To learn more about the Our Care, Our Choice Act, visit [compassionandchoices.org/Hawaii](http://compassionandchoices.org/Hawaii) or <https://health.hawaii.gov/opppd/ococ/>.

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