

# Monitoring and Compliance - How should we monitor voluntary assisted dying to make sure the process is safe and effective?

We want to know your views on how we can make sure voluntary assisted dying has the right safeguards for individuals and health professionals in the NT.

## Reporting by health professionals

What should health professionals be required to tell us about their role in helping a person with voluntary assisted dying?

In other Australian states, health professionals are required to provide information at every stage of the VAD process to make sure health professionals are complying with the law. It can also provide information to assess how VAD is working in the community. For example, when a person tells a health professional that they want to access voluntary assisted dying, or when a health professional helps a person to use a VAD substance to die, health professionals are required to submit forms that record each step.

## Checking that health professionals are following the law

*How should we check that health professionals are following the law in the NT?*

In some states in Australia, an independent body reviews each report submitted by a health professional, and a person must not progress to the next step of the VAD process until the agency approves the report. This can be a thorough process that closely checks that

people are following the law, but it can also slow down the process and make it harder for a person to access voluntary assisted dying.

In other states, an independent body only reviews the reports submitted by a health professional every few weeks or months. In this instance, there is no need for a health professional to wait for approval to move to the next stage of the VAD process.

## Reviewing eligibility decisions

*Do you think a health professional's decision about whether a person is or is not eligible to access VAD should be able to be reviewed by a tribunal, court or other body?*

## Consequences if someone breaks the law

*What should the consequences be if a person breaks laws about VAD in the NT?*

Other Australian states have made it a crime for:

- a health professional to submit false reports about voluntary assisted dying
- a health professional to fail to submit reports about voluntary assisted dying
- a health professional who breaches any part of the VAD legislation
- anyone to help a person use a VAD substance outside of the lawful VAD process
- anyone to dishonestly convince a person to use a VAD substance.

To learn more about VAD and share your input, go to [cmc.nt.gov.au/vad](https://cmc.nt.gov.au/vad)

Some states also allow a person to notify the Australian Health Practitioner Regulation Agency if they have concerns about a health professional, or believe a health professional has broken the law. This is the agency that makes and enforces rules about certain types of health professionals.

### **Protecting people from misusing a VAD substance**

We want to know how you think we can protect people from misusing a VAD substance in the NT.

A VAD substance is medication prescribed by a doctor to cause a person's death. We need safeguards to protect our community and ensure the substance is handled with extreme care and caution, and is not misused. We also want to avoid barriers that make it too hard for a person to use the substance when they are eligible and ready.

Other states in Australia do this by:

- requiring health professionals and pharmacists to provide information about the substance
- requiring health professionals and pharmacists to give warnings to the person about the substance
- requiring pharmacists to complete forms and keep records
- requiring the substance to be kept in a locked box
- requiring any unused substance to be returned and destroyed within a set timeframe
- making it a crime to misuse or mishandle the substance.

Some states in Australia also require health professionals to apply for and receive a permit to arrange the VAD substance, require pharmacies to be authorised, and require pharmacists to verify and record a person's identity.

*Should we use this approach in the Territory?*

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