Guidelines for MEDICAL AID IN DYING Law

This document co-written by a family medicine doctor and the spouse of someone who chose to utilize the AID/EOL option. It includes a non-hospice, or death unattended by a professional, which requires the involvement of law enforcement for death unattended by medical personnel.

About the "End of Life Option Act": This law was passed in California in 2016, to allow an adult diagnosed with a terminal medical (not psychiatric) disease, and who meets specific qualifications, to request the aid-in-dying drugs from an attending physician. The Act requires physicians to submit specified forms and information to the California Department of Public Health (CDPH). CDPH will collect data from forms submitted by physicians. Annual reports will be made pursuant to the Act and relevant privacy requirements.

The following guidelines show how to access this service in Mendocino County, and has recommendations that are unique for Mendocino Coast. If you are another county, it would be advisable to seek out hospice, or law enforcement to discuss concerns.

These guidelines and instructions are written to the person interested in this process, and to help:

1) Avoid added stress associated with a medically unattended death.
2) Provide a time line and scripts that will reduce the stress and confusion in the days leading up to, taking the medication, and after the patient has passed.
3) Discuss means of administering the medication(s) and reassure the individual and friends/family that they are providing a loving alternative to the pain and suffering.
4) Prepare you for issues that might affect the decision and timing of opting for AID/EOL.
5) Suggest ways to prepare for what happens immediately after the patient has passed.
6) Practical advice about Fort Bragg's only mortuary; it doesn't discuss options available inland or elsewhere in California (such as the Neptune Society).

INITIATING THE PROCESS

A. We suggest at least two weeks before the intended time that you contact the advice nurses at Adventist Health Mendocino Coast Medical Office 707-961-4631 (or your local physician) to investigate whether the Aid in Dying law applies to you. They will schedule an appointment with the doctor to review the case. Their Fax 707-964-1192. Information is available at 700 River drive, Suite A, and you can drop in to ask for guidelines.

B. They will give you two blank documents: one is a request for the Aid in Dying protocol to be started. It must be signed by the patient and two witnesses, one a non-relative who knows the patient well. The other is a Request for Records to be signed by the patient to seek support from treating physician(s) who will acknowledge a terminal condition and other circumstances that support the need for End of Life prescription. Request for records needs to be done as soon as possible, as it can take up to two weeks. Call the physician's office and explain the need to expedite the process. The Adventist Health office needs to have these records on file in order to proceed.

C. The consult with a local physician can be done in person, by phone, or over Video. During the visit the doctor will speak with the patient, and family/support persons will be asked to leave the room for part of the interview to assure there is no coaching. The doctors will explain the next steps, and remind you that "just because you have the medication, it doesn't mean you have to take it."

D. You will need to have a second physician complete a separate form in consultation supporting that your medical condition meets the requirement for this process. This can be your own, or another licensed doctor, possibly in the same Clinic. This can also happen over telephone or video. The initial physician may assist in finding the second doctor.

E. **Purchasing the Medication:** Once it has been determined that the criteria for the Aid in Dying Law is met, the physician will order the medication. It is compounded by Pucci's Pharmacy in Sacramento. You will need to call them at # 916-442-5891 and pay for the prescription (c. $511) and give them the address for the Fed Ex delivery. It takes up to five days, and someone need to be available to receive and sign for the small FedEx box.

F. **Arrangements for care of the body.** It is recommended that you go to your local mortuary. On the Mendocino Coast, Chapel by the Sea (707-964-5675) is the only option. You should inform the Neptune Society (if you are a member) a few days prior to the chosen time to arrange transport.

G. You cannot pay some mortuaries directly before the death, as this requires a special license to sell "pre-death insurance." They may work with another organization who can contact you to accept payment. It costs about $2500 depending on whether it is cremation (and the type of container you request) or a more expensive burial option. (We offer no guidance about having a plot, this is another task unto itself.) You can pre-purchase a creation container on line, but it must be certified as such for safety of the personnel and environmental concerns.

H. Once the patient has passed, the mortuary can accept payment. If you pay by credit card there may be a 3% surcharge. Not so if you pay by check.

HOW TO PROCEED AT HOME

I. **Preparing the location to administer the medication.** After death there can be a natural release of bowel and urine, so protection for the surface is recommended. Diapers, plastic or "chucks" or towels. The patient must be able to sit up for taking the medication, as swallowing is difficult in a reclined position. After that, lying back is advisable: starting the process in an upright recliner or having pillows in a bed that can be removed will work.

   a. Who do you want with you? It is best to have at least two people, both for physical support for the patient and emotionally for one another.
   b. Create the environment for calm and peacefulness: play music, a favorite movie, music, something that will be relaxing and enjoyable for all in the hour before you begin.
   c. It's okay to eat a favorite treat to sweeten the moment for all. It won't delay the action of the medication.

J. The medication comes with four elements:

   a. 2 days ahead Clarithromycin 4 tablets (used to make the powdered meds more effective, not completely necessary).
   b. Ondansetron and Metoclopramide, to prevent nausea and vomiting.
   c. Morphine, Digitalis, Amitriptyline, Diazepam, Phenobarbital referred to as "the powder" to stop the heart, and Stevia, a bitterness suppressing powder. You'll mix this with juice, a non-acidic flavor, such as mango or favorite flavor is recommended to drink it quickly.

K. Once you have chosen the day and time for taking the dosage, you want prepare by moving to the chosen location. The bedroom, with pillows to allow sitting up, or a recliner work well.

   a. You take the Ondansetron and Metoclopramide 30 minutes before the overdose. They are small easy to swallow pills. You then have time to prepare the overdose medication.

   b. **Wear latex gloves to protect from touching it, and a paper mask to avoid breathing it.** The major medication comes in a brown glass bottle. You will need to transfer the powder into a 12 oz glass. Instructions say "juice or water." It is bitter, so a room temperature sweet juice works best, a mango lemonade or grape juice. Nothing cold or bubbly, which might be more difficult to drink within the recommended two minutes. Don't worry if it takes longer, it will still work. It is important to complete the entire dose.

   c. After drinking all the liquid, sit or lie back in a comfortable position. This will help to slow your breathing, as you fall asleep. This also prevents falling from the chair or bed.

   d. The instructions in the medication package state "It works within 30 minutes." This can vary. If the person has a pacemaker**,** or other conditions, it might take over ninety minutes.

   e. To those who are supporting the patient, keep close and stay calm. Hold their hands. You can still speak to your loved one even if they seem deeply asleep; they may be able to hear. It's a wonderful time to remind them of all the good they have done, and how much their life has meant to you and others. Reinforce how their decision to end their life at this time is welcomed by you. Whether or not they "know" what you are saying, these are your final words to them, and you'll want to remember this time as your gift to end the suffering.

L. After the last breath:

   a. If you are a hospice patient, the nurse will appreciate a call earlier in the day. Generally, the hospice nurse will not be present at the time the medications are taken, but call once they have taken the last breath. The nurses document "time of death" when they arrive, and will call the people who transport your loved one to the mortuary.

   b. If it is NOT a hospice patient, you must call the Sheriff or the Police if in city limits. You can call 911, but we recommend that you call Mendocino County Sheriff dispatch at 707-463-4086 Option 1. Be prepared to explain in detail that this was an expected death, but attended by a doctor or hospice nurse. **Explain this is NOT an emergency, so NO lights and sirens.**

c. You need tell any officers that the primary care physician or prescriber of EOL medication will be signing the death certificate and it is NOT to be a coroner's case. Explain this to the dispatch worker on the call, and repeat to paramedics and law officers who show up. Otherwise, the patient will be taken to Ukiah Coroner's Office. In this way, the "cause of death" on the death certificate will be the pre-existing condition, NOT suicide. This is very important for life insurance and other considerations. Have a copy of Do Not Resuscitate documents available.

d. The paramedics will arrive in an ambulance. They will declare the time of death once they arrive, NOT when you tell them they passed. They will check on your needs, as well as the patient's status. If you are distraught, they can be good support. They will wait until law officers arrive, usually within a few minutes, and discuss the situation between them and with you to determine there is no reason for this to be a coroner's case: no autopsy, no delay in the release for final ceremony. Remind them again that the primary care or prescribing physician will sign the death certificate when next in the office.

e. The law officers will call the people to transport the body to the mortuary. It can take up to an hour or even more for them to arrive, particularly if there is another call or in the middle of the night. The deputies will wait until they arrive, and assist if needed.

f. The support people's final responsibility is to keep a loving and kind attitude about the person who has died. It's okay if you are crying. However, you will be asked to answer all the questions the paramedics and law enforcement will have. Even if you are emotionally prepared, it is still a challenge to deal with the event from the perspective of the officers. Their job is to assure it is not a suspicious death. You are able to sit with, touch and be loving toward the patient, and do not need to constantly interact with professionals.

M. To help with this phase:

a. They are investigating "an unattended death" so questions can feel like they are suspicious. Not all officers have experienced or been trained in this type of case, so be patient.

b. Waiting for the mortuary transport might take an hour or more. You are there with your loved one and the officers. They are human beings, and this new law is a bit of a challenge to their normal routine. They might want to engage in conversation about the how and why

of this decision, as part of the investigation, but also it is a reassurance to you and them that this was a desired and necessary choice.

c. They will ask to take available ID: driver's license, passport, Social Security Card (you can just give them the number), "to return to the proper authorities." It is a good idea to have all these ready to hand to them prior to the final day.

d. They will ask to take all the medication that the patient has been on. The intention is to dispose of any lethal or problematic medications. They will NOT follow you into the other room, so you can decide what to give them. We suggest you have all the medications that you intend to give to them to dispose in a bag ready to hand over. It might seem invasive, but it is actually a relief not to have all those bottles around. You'd need to go to their offices to dispose of them later, as pharmacies will not take them, and you cannot flush or bury them without potential harm to the environment or animals who could dig them up.

N. Transport of the patient is the last involvement of others coming to your home. This is your final time to say goodbye. You do NOT need to be present if it feels emotionally too much.

a. Two people will come with a collapsible gurney. They will probably be dressed in suits and be very quiet and respectful. They do not need to know any details of the how and why of the death. The paramedics have determined time of death. These gentle folks will be tasked with taking the body to the mortuary.

b. They will not need you to help them, but the law officers might assist in lifting and transferring from the chair or bed onto the gurney. They move gently and methodically, and wrap the patient (in their clothing) in a plastic sheet, then cover it with another cloth. They take the gurney into the van, and transport to the local mortuary where the body will be stored until burial or cremation.

O. Mortuary staff help with the following:

a. <u>Death Certificates:</u> If you did not pay the external pre-death insurance before the time, you will need to return to the funeral home the next business day to pay. Only then will they transport the body to the crematorium and order the death certificates, which can take up to two weeks to receive. When they get them, they will call you to pick them up. You may need several: the bank or many life insurance companies do NOT need originals, but other

companies will. Depending on how complicated your financial life is, you might need at least ten. They are about $12.00 each.

b. Cause of Death on the Death Certificate will be listed as the pre-existing life-threatening condition that qualified you for the End of Life option. It will NOT be "suicide." This is stipulated by the language in the law for End of Life and Aid in Dying.

c. CREMATION: Depending on the schedule at the crematorium in Ukiah, it might be over a week before the cremains are returned to the funeral home. If you don't want to buy a special urn, they provide a very nice plastic box in a gift bag.

d. BURIAL: You can make all the arrangement at Chapel by the Sea in Ft. Bragg, or other mortuaries out of the area.

FINALLY, the end of the physical suffering and emotional stress of terminal illness is over. Know that you have given the gift of peace, and freedom from pain to someone you cared about. This is a time for you to grieve, as well as celebrate the life of the one who died, and to rebuild your own without them.

A. In Fort Bragg, there is a grief support and recovery group available that meets each week. Rev. Tanya Wyldflower is the contact. Her number is 707-964-8987. She has been informed of the law, and will be non-judgmental, and is very supportive.

B. You can call her as well as attend in person. There is no fee for this, as it is paid for by Friends of Health on the Mendocino Coast as a gift to the community.

C. If you wish to have individual counseling, your physician has a list of therapists who are available in the area.

I am grateful for the local physicians who provided the support and understanding and positive attitude that made this process smooth and compassionate. If anyone wishes to reach out to ask for more information, my email is Cynthia@cynthiawall.com. My phone for texting/calling is 707-357-1019.

Cynthia Wall, LCSW

Wife and support for Marshall Rogers 3/8/1937 to 12/31/2022