

# Voluntary Assisted Dying in Tasmania

## Fact Sheet: Declarations of Life Extinct

### What is this Fact Sheet about?

This Fact Sheet provides guidance to medical practitioners, nurses, police officers, officers of the Ambulance Service, and other responsible persons on when and how to complete declarations of life extinct for people who have died following the administration or self-administration of a VAD Substance pursuant to the *End-of-Life Choices (Voluntary Assisted Dying) Act 2021* (the Act).

In summary:

- The death of a patient following the administration or self-administration of a VAD Substance is not a reportable death.
- The declaration of life extinct that is completed for a patient who has died following the administration or self-administration of a VAD Substance should not refer to voluntary assisted dying, and usual processes for completing declarations of life extinct should be followed.

### Is the death of a patient who has been administered or self-administered a VAD Substance a reportable death?

Section 140 of the Act says that for the purposes of a law of Tasmania, including the Coroners Act, a patient who dies as the result of the administration or self-administration of a VAD Substance in accordance with the Act does not die by suicide.

Further, section 93(2) of the Act says that the death of a patient who has been administered or self-administered a VAD Substance in accordance with the Act is not a reportable death for the purposes of the *Coroners Act 1995*.


This means that there is no need to notify a police officer or coroner of the death; and that a declaration of life extinct can be issued.

### What should be recorded on the declaration of life extinct?

The Act is silent on the information that should be included in a declaration of life extinct that is completed for a patient who has been administered or self-administered a VAD Substance.

Declarations of life extinct should be completed for people who have died following administration or self-administration of a VAD Substance in the same way that they would for any other person whose death is not a reportable death for the purposes of the Coroners Act.

The process to be followed is as set out in regulations 5 – 9 of the *Burial and Cremation Regulations 2015*.



The declaration of life extinct forms approved by the Director of Local Government under the Burial and Cremation Regulations are to be used to record the death of a patient following the administration or self-administration of a VAD Substance. The forms can be found online [here](#).

## **Who should complete the declaration of life extinct?**

The Act does not provide guidance on who should complete a declaration of life extinct for a patient who has been administered or self-administered a VAD Substance. This means that there is nothing preventing a medical practitioner or registered nurse, including a medical practitioner or registered nurse who was a patient's Primary Medical Practitioner, Consulting Medical Practitioner, or Administering Health Practitioner from deciding whether the patient's death is, or is not, a reportable death within the meaning of the Coroners Act, as a precursor to deciding whether to issue a declaration of life extinct for the patient.

## **How will voluntary assisted dying deaths be recorded?**

The death of a patient who has been administered or self-administered a VAD Substance must be reported to the Voluntary Assisted Dying Commission. Responsibility for reporting the death rests, under the Act, with the medical practitioner or registered nurse who as the patient's Administering Health Practitioner.

The Voluntary Assisted Dying Commission is responsible for reviewing the performance and exercise by people of functions and powers under the Act in relation to a death that has occurred as a result of the administration of a VAD Substance under, or purportedly under the Act. Being notified of a patient's death allows the Commission to discharge this function.

The Voluntary Assisted Dying Commission is also responsible for collecting statistical information in relation to the Act's operation and for publishing an annual report.

## **What support is available?**

The Voluntary Assisted Dying Navigation Service can provide further information to patients and others about voluntary assisted dying in Tasmania. The Navigation Service is contactable Monday to Friday from 9.00 am – 5.00 pm.

To contact the Voluntary Assisted Dying Navigation Service, call 1800 568 956 (toll free) or email [vad@health.tas.gov.au](mailto:vad@health.tas.gov.au)



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The information presented in this information sheet is provided in good faith by the Department of Health to assist the community and health practitioners to understand the framework for voluntary assisted dying in Tasmania.

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