

Fact Sheet: Voluntary Assisted Dying and Organ and Tissue Donation After Death

What is Voluntary Assisted Dying?

Voluntary assisted dying, or VAD, is a process that enables a person who is suffering from a terminal illness to legally access a substance to end their life, with support and assistance from registered health practitioners. The person can choose to take the substance themselves, or have it administered to them by, or with help from, a medical practitioner or registered nurse.

Only people with terminal illness, such as cancers, neurodegenerative diseases like Motor Neurone Disease, who have decision-making capacity and who are acting voluntarily can access voluntary assisted dying.

Voluntary assisted dying is a highly regulated process involving multiple assessments. It is governed by the *End-of-Life Choices (Voluntary Assisted Dying) Act 2021*.

Can a Person who Has Chosen VAD Donate their Organs and Tissue?

Organ and tissue donation is an altruistic decision that can benefit others. Donation after VAD is legal and possible in clinically appropriate circumstances.

What Are the Clinical Considerations?

A person's suitability to become an organ or tissue donor is assessed on an individual basis.

A person can only access voluntary assisted dying if they have a terminal illness. The nature of a person's illness may, in many cases, make the person unsuitable to be an organ or tissue donor. For example, people with advanced stage active cancers would generally not be eligible for organ donation (although they may be eligible for tissue donation).

Are There Any Other Factors That Might Have an Impact?

A person who wishes to access voluntary assisted dying and to donate their organs or tissues should take the following factors into account when deciding how to proceed:

- A person who wishes to donate their organs, other than eye tissue, may only do so if they die in a hospital. This is because the donation of organs, other than eye tissue, after death, requires a surgical procedure in an operating theatre.
- There is no need for a person who wishes to donate their eye tissue to die in a hospital. This is because it is possible to remove a person's eye tissue for up to 12 hours after their death.
- A person who wishes to donate their organs after accessing VAD will need to provide formal consent with a donation specialist and undergo a series of tests to determine their suitability as an organ donor. These tests may be invasive and will need to occur prior to the donation proceeding.
- The donation and transplantation process is complex, and in some cases organ and tissue donation may not be able to proceed if there are no suitable recipients.
- Some medical practitioners may be concerned about the pressure that a person's wish to donate their organs may place on them to die at a particular time or to progress with voluntary assisted dying when they may otherwise have chosen to withdraw from the process.

Timing

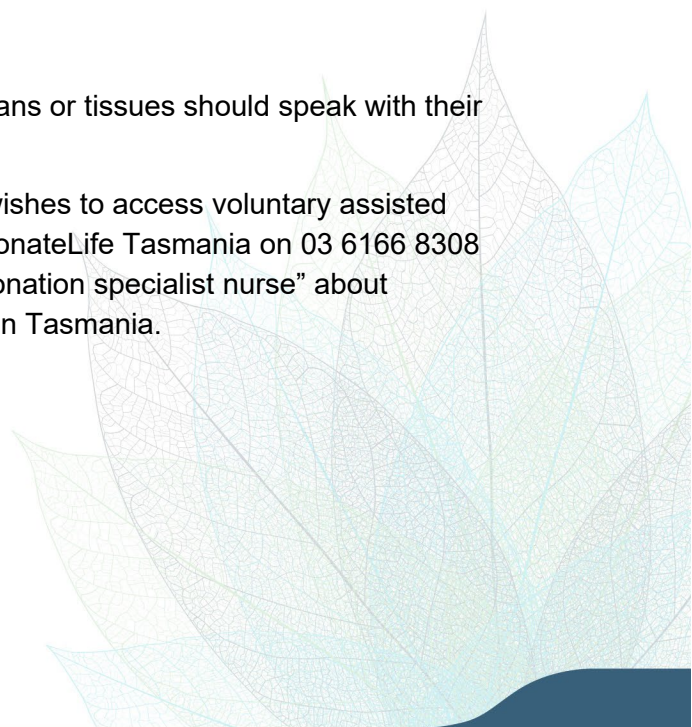
Organ and tissue donation is best explored following the person's Final Request to access voluntary assisted dying has been determined. This is to ensure that decision making around voluntary assisted dying, and organ and tissue donation, occurs separately and is seen to occur separately.

If a person initiates a discussion about donation with their Primary Medical Practitioner before their Final Request has been determined, the request should be acknowledged and sensitively deferred until the Final Request stage is complete.

What Support is Available?

A person who wishes to access VAD and to donate their organs or tissues should speak with their Primary Medical Practitioner in the first instance.

A medical practitioner who is approached by a person who wishes to access voluntary assisted dying and to donate their organs or tissues should contact DonateLife Tasmania on 03 6166 8308 or dltcaseworker@ths.tas.gov.au and ask to speak with a "donation specialist nurse" about receiving more information about organ and tissue donation in Tasmania.



Disclaimer

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This Fact Sheet will be reviewed and updated on an ongoing basis to ensure that it remains current and fit for purpose.

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