

Position Statement

Voluntary Assisted Dying

About Montefiore

For more than 130 years, Montefiore's mission has been to enhance the quality of life of older people, by providing an exceptional standard of service and care, embracing the richness of Jewish religion, culture and tradition.

We are committed to delivering the best possible care, by empowering individuals to live with choice, dignity and wellbeing. Our consumer-directed care approach applies to all stages of ageing, supporting independence by providing choice in personal and clinical care, activities and social support.

This commitment, known as the *Montefiore Experience* (ME), extends to every aspect of daily life and care, encompassing our residents' and clients' social, emotional, spiritual, intellectual and physical wellbeing.

Background

The Parliament of New South Wales passed the *Voluntary Assisted Dying Act* (the Act) on 19 May 2022. This Act allows eligible people the choice to access voluntary assisted dying (VAD) from 28 November 2023. People cannot access VAD in NSW before this date.

VAD means an eligible person can ask for medical help to end their life. The person must be a competent individual over the age of 18, in the late stages of an advanced disease, illness or medical condition. They must also be experiencing pain and suffering they find unbearable.

RANDWICK CAMPUS
36 DANGAR ST
RANDWICK NSW 2031
P 1800 978 711
E RANDWICK@MONTEFIORE.ORG.AU

HUNTERS HILL HAL GOLDSTEIN CAMPUS
120 HIGH ST
HUNTERS HILL NSW 2110
P (02) 9879 2777
E HUNTERSHILL@MONTEFIORE.ORG.AU

WOOLLAHRA MANOR
23 NELSON ST
WOOLLAHRA NSW 2025
P (02) 9362 3777
E WOOLLAHRA@MONTEFIORE.ORG.AU

If a person meets all the criteria and the steps set out in the law are followed, they can take or be given a VAD substance to bring about their death at a time they choose. The substance must be prescribed by a doctor who is eligible to provide VAD services.

'Voluntary' means the choice must be the person's own. Only the person who wants VAD can ask for it. It is against the law to pressure someone to ask for VAD. The NSW legislation has safeguards in place to make sure the person is protected.

Under the provisions of the Act, residential aged care organisations are required to decide whether to provide VAD services and what support they offer to residents who are seeking VAD. However, residential aged care organisations that choose not to provide VAD services still have legal obligations to enable a resident to access VAD if they wish.

As a minimum, all residential aged care facilities must allow a resident to:

- **Receive information about VAD when they request it.** This includes allowing a medical practitioner to visit the facility to provide information about VAD.
- **Make a first or final request for VAD at the residential aged care facility.** This is part of the process a person must undertake to access VAD.
- **For permanent residents, allow health practitioners to enter the facility to undertake eligibility assessments and administer VAD medication.**
- **For non-permanent residents, transfer to and from another place where they can receive VAD services.** However, if transferring the resident would be unreasonable e.g. it would cause the person additional discomfort or worsen their condition, the facility must allow a health practitioner to provide VAD services at the facility (including administration of VAD medication).

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As an organisation founded on Jewish values, Montefiore upholds the fundamental tenant that all human life is sacred and that life should be preserved for as long as possible and as comfortably as possible.

We seek to enhance the quality of life of those we care for, which includes providing holistic end-of-life palliative care that seeks to minimise pain and discomfort for those suffering from terminal and debilitating illnesses and to provide pastoral and emotional support to individuals and their loved ones.

Equally, Montefiore supports the values of an individual and their ability to exercise self-determination and their right to informed and autonomous decision-making.

Accessing VAD is a person's voluntary choice and an organisation's values and beliefs should not impede a person's right to access lawful treatments, or negatively impact a person's dignity and right to choose. This is an important part of delivering optimal person-directed care, respecting a person's dignity and supporting them to exercise their end-of-life choices.

Therefore, in accordance with these values and the provisions of the Act, Montefiore will:

- Empower the individual in care to actively participate in all decision-making regarding their care and support and respect their ability to exercise self-determination and their right to informed and autonomous decision-making, including those relating to VAD.
- Comply with its legal obligations under the Act relating to VAD as outlined in this Position Statement, but not to actively participate in the provision of VAD services.
- Recognise the right of staff and volunteers to conscientiously object to participating in VAD due to their personal beliefs and values and to avoid their involvement where possible, subject to any legal, ethical and professional constraints that may apply.

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