

VAD Post-Webinar Activity Insights



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Voluntary Assisted Dying (VAD) refers to the assistance provided by a healthcare practitioner to a person to end their life voluntarily. The word 'voluntary' highlights that this practice is the person's own choice and that they must have decision-making capacity.

Until recently, it was unlawful to assist another person to end their life. Today, voluntary assisted dying legislation has been passed in all Australian states (but not yet in the territories) that allow healthcare practitioners to assist a terminally ill person in ending their life in limited circumstances and subject to completing a prescribed process.

Victoria, Western Australia, South Australia, Tasmania, Queensland and New South Wales have passed VAD laws. In all states except NSW, these VAD laws are currently operating. In NSW, its VAD law comes into effect in November 2023. These laws significantly impact the Australian healthcare industry and raise complex questions about how healthcare practitioners view their role in the journey of the terminally ill patient. clinical implementation and their interplay with overlapping legislation.

However, there are important limitations to VAD laws. First, it remains unlawful in the ACT and NT to engage in VAD. It will also continue to be unlawful in NSW, until their VAD laws come into effect in November 2023. Second, Commonwealth laws prohibit the use of an electronic carriage device (phone, internet etc) for assisting someone to die. The effect of these laws is that voluntary assisted dying services cannot be provided by any means other than face-to-face interactions. This imposes limitations on access to VAD for many people, especially those in rural and remote communities. MIPS members providing voluntary assisted dying are covered for this healthcare in the same way as other healthcare.

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