New Jersey Medical Aid in Dying for the Terminally Ill Act FAQ's

- The attending physician's offer to the patient to rescind the request for medication; and
- The attending physician's confirmation that all the requirements of the Act had been met and the steps taken to meet the patient's request, including the type of medication prescribed.

Q3. What forms are required and where can I find them?
A3.
In order for a patient to receive a prescription in accordance with Medical Aid in Dying, the patient must sign the following form:

1. Request for Medication to End My Life in a Humane and Dignified Manner

For compliance with the law, the physician or pharmacist who dispensed the medication must submit the following to the Department of Health as soon as possible and no later than 30 days of dispensing medication under the Medical Aid in Dying Act:

1. Medication Dispensing Record

For compliance with the law, the attending physician must submit the following to the Department of Health as soon as possible and no later than 30 days after a Medical Aid in Dying Act patient's death:

1. Copy of the above Request for Medication to End My Life in a Humane and Dignified Manner
2. Attending Physician Compliance Form
3. Consulting Physician Compliance Form
4. Mental Health Professional Compliance Form (if applicable)

Forms with current filing instructions are available on the Department of Health website.

Q4. What should I do if I am eligible for Medical Aid in Dying for the Terminally Ill Act, but my provider or healthcare facility does not wish to participate?
A4. If a health care professional is unable or unwilling to carry out a patient's request under P.L.2019, c.59 (C.26:16-1 et al.), the patient may transfer the patient's care to a new health care professional or health care facility. A healthcare facility that does not wish to engage in the medical aid in dying process must facilitate the transfer of a patient to a new health care professional or health care facility at the patient's request. The prior health care professional also shall transfer, upon request, a copy of the patient's relevant records to the new health care professional or health care facility.

Q5. Why are forms submitted to the New Jersey Chief State Medical Examiner (OCSME)?
A5. The Act requires an annual report and the reference data to produce that report is being collected by the OCSME. No personally identifying information will be included in that report.

Q6. What happens between the death of a Medical Aid in Dying for the Terminally Ill Act patient and production of that patient's death certificate?
A6. The required forms must be submitted to the New Jersey Department of Health within 30 days of a patient's death. At the time of death, pertinent patient information must be conveyed to the New Jersey Office of the Chief State Medical Examiner to be reviewed. To ensure accuracy, the OCSME may provide guidance to the patient's attending physician in certifying the death certificate.

Q7. What will be listed as the "cause of death" on the death certificate of a qualified terminally ill patient who dies under the Medical Aid in Dying for the Terminally Ill Act?
A7. For qualified terminally ill patients who die following ingestion of medication prescribed under the Medical Aid in Dying for the Terminally Ill Act, the NJDOH Office of Vital Statistics and Registry

recommends that providers record the underlying terminal disease as the cause of death and mark the manner of death as "natural". Any action taken in accordance with the provisions of P.L.2019, c.59 (C.26:16-1 et al.) shall not constitute suicide or assisted suicide.

Q8. How can I safely dispose of unused medication as a qualified terminally ill patient or as the patient's designee?

A8. Information is available online from the New Jersey Division of Consumer Affairs at https://www.njconsumeraffairs.gov/meddrop/Pages/Locations.aspx .

Q9. Where can I find information about advance directives, Practitioner Orders for Life-Sustaining Treatment (POLST), and other end-of-life care information from the Department of Health?

A9. Information is available online at https://www.state.nj.us/health/advancedirective/.

Q10. Where can I address questions or concerns about New Jersey's Medical Aid in Dying for the Terminally Ill Act?

A10.

- Consumers and providers may contact licensing authorities for further information. Information is available from the State Board of Medical Examiners, the State Board of Social Workers, and the State Board of Psychological Examiners.
- Inquiries about the reporting process: You may contact the New Jersey Office of the Chief State Medical Examiner at (609) 815-2063 or email MAID@doh.nj.gov.
    - To report a death of a patient under the Medical Aid in Dying Act, please call (973) 648-4500 (available 24/7).
- Inquiries from the press: You may contact the Department of Health's Office of Communications.

Q11: Are participating patients reported to the State of New Jersey by name?

A11: The State does collect the names of patients in order to cross-check and close death certificates. However, the law guarantees the confidentiality of participants. Any information collected under C.26:16-13 that contains material or data that could be used to identify an individual patient or health care professional shall not be included under materials available to public inspection pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) and P.L.2001, c.404 (C.47:1A-5 et al.).

Q12: What medication will my physician prescribe?

A12: It is up to the physician to determine which medication or medications to prescribe.

Q13: What will happen if a provider does not follow the prescribing or reporting requirements of the law?

A13: The New Jersey Office of the Chief State Medical Examiner will review all reported cases. Any discrepancies or reason for additional follow up will be conveyed to the appropriate regulator, including, as relevant, the Board of Medical Examiners, Board of Pharmacy, the Health Systems branch within the New Jersey Department of Health, the Prescription Monitoring Program, or other office.

Q14: How much does participation cost?

A14: There is no fee charged by DOH for the reporting required under this law.