

RCW 70.245.040 Attending qualified medical provider

- responsibilities.** (1) The attending qualified medical provider shall:
- (a) Make the determination of whether a patient has a terminal disease, is competent, and has made the request voluntarily;
 - (b) Request that the patient demonstrate Washington state residency under RCW 70.245.130;
 - (c) To ensure that the patient is making an informed decision, inform the patient of:
 - (i) The patient's medical diagnosis;
 - (ii) The patient's prognosis;
 - (iii) The potential risks associated with taking the medication to be prescribed;
 - (iv) The probable result of taking the medication to be prescribed; and
 - (v) The feasible alternatives including, but not limited to, comfort care, hospice care, and pain control;
 - (d) Refer the patient to a consulting qualified medical provider for medical confirmation of the diagnosis, and for a determination that the patient is competent and acting voluntarily;
 - (e) Refer the patient for counseling if appropriate under RCW 70.245.060;
 - (f) Recommend that the patient notify next of kin;
 - (g) Counsel the patient about the importance of having another person present when the patient takes the medication prescribed under this chapter and of not taking the medication in a public place;
 - (h) Inform the patient that he or she has an opportunity to rescind the request at any time and in any manner, and offer the patient an opportunity to rescind at the end of the relevant waiting period under RCW 70.245.090;
 - (i) Verify, immediately before writing the prescription for medication under this chapter, that the patient is making an informed decision;
 - (j) Fulfill the medical record documentation requirements of RCW 70.245.120;
 - (k) Ensure that all appropriate steps are carried out in accordance with this chapter before writing a prescription for medication to enable a qualified patient to end his or her life in a humane and dignified manner; and
 - (l)
 - (i) Dispense medications directly, including ancillary medications intended to facilitate the desired effect to minimize the patient's discomfort, if the attending qualified medical provider is authorized under statute and rule to dispense and has a current drug enforcement administration certificate; or
 - (ii)
 - (A) Contact a pharmacist and inform the pharmacist of the prescription; and
 - (B) Deliver the written prescription personally, by mail, facsimile, or electronically to the pharmacist, who will dispense the medications directly to either the patient, the attending qualified medical provider, or another person as requested by the qualified patient.
- (2) The attending qualified medical provider may sign the patient's death certificate which shall list the underlying terminal disease as the cause of death.
- (3) Delivery of the dispensed drug to the qualified patient, the attending qualified medical provider, or another person as requested by the qualified patient may be made only:

(a) By personal delivery, messenger service, or the United States postal service or a similar private parcel delivery entity; and

(b) Upon the receipt of the signature of the addressee or an authorized person at the time of delivery by an entity listed in (a) of this subsection. [2023 c 38 s 5; 2009 c 1 s 4 (Initiative Measure No. 1000, approved November 4, 2008).]