

FACTSHEET 35: Colorado *End of Life Options* Act

In 2016, Colorado voters approved Proposition 106, “Access to Medical Aid In Dying,” which amends Colorado statutes to include the Colorado End of Life Options Act. The proposition was approved by almost 65% of Colorado voters in the November 8th 2016 ballot. It is similar legislation to that in Oregon which allows individuals with a terminal illness to request from their physician aid-in-dying medication for self-administration only. The largest donor to the “No” campaign was the Catholic Archdiocese of Denver, which contributed \$1.6 million of the \$2.76 million raised.

To be eligible to request medication the individual must:

- be a Colorado resident aged 18 or older;
- be able to make and communicate an informed decision to health care providers;
- have a prognosis of six months or less to live due to a terminal illness; the diagnosis having been confirmed by two physicians, including the individual's primary physician and a second, consulting physician;
- be determined mentally capable by two physicians, who have concluded that the individual understands the consequences of his or her decision;
- voluntarily express his or her wish to receive the medication.

Other provisions:

- Health care providers are not required to prescribe or dispense aid-in-dying medication. Health care facilities may also choose not to participate, but must give physicians in their employment and patients in their care written advance notice of their policy.
- To obtain aid-in-dying drugs requires one written request, witnessed by at least two other people, and two oral requests to the attending physician.
- Coercing a patient with a terminal illness to request the medication becomes a criminal offence.
- The death certificate records the cause of death as the underlying terminal illness.
- Other persons present or assisting the patient at the time of taking the medication no longer risk being charged with felony manslaughter for assisting a suicide.
- Claims for life, health or other insurance products cannot be denied because the individual has made the request for medication.

The full text of Proposition 106 may be accessed at:

<http://www.sos.state.co.us/pubs/elections/Initiatives/titleBoard/filings/2015-2016/145Final.pdf>

Link to Colorado End of Life Options Act:

<https://www.colorado.gov/pacific/cdphe/medical-aid-dying>