



End of Life Option Act - Exemption

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End of Life Option Act (California Health and Safety Code, Division 1, Part 1.85, Section 443-443.22)

AB 15, effective June 9, 2016 until January 1, 2026, enacted the End of Life Option Act authorizing an adult who meets certain qualifications, and who has been determined by his or her attending physician to be suffering from a terminal disease, as defined, to make a request for a drug prescribed pursuant to these provisions for the purpose of ending his or her life. The bill would establish the procedures for making these requests. This Act establishes specified forms to request an aid-in-dying drug, under specified circumstances, an interpreter declaration to be signed subject to penalty of perjury, thereby creating a crime and imposing a state-mandated local program, and a final attestation for an aid-in-dying drug. This Act requires specified information to be documented in the individual's medical record, including, among other things, all oral and written requests for an aid-in-dying drug.

California Correctional Health Care Services (CCHCS) / California Department of Corrections and Rehabilitation (CDCR) EXEMPTION - End of Life Option Act (California Health and Safety Code, Division 1, Part 1.85, Section 443-443.22)

California Correctional Health Care Services (CCHCS) shall not participate in or allow its employees, independent contractors, or other persons or entities, including other health care providers, to participate in activities under the End of Life Option Act (California Health and Safety Code, Division 1, Part 1.85, Section 443-443.22) on premises owned or under the management or direct control of California Department of Corrections and Rehabilitation (CDCR) or while acting within the course and scope of any employment by, or contract with, CDCR or CCHCS. Consistent with this policy, patients shall not be permitted to access aid-in-dying drugs under the End of Life Option Act.

CCHCS shall continue to offer patients end of life care, including counseling, hospice and palliative care.

REFERENCE: Inmate Medical Services Policies and Procedures (IMSP&P) Volume 1: Governance and Administration, Chapter 40; 1.40: End of Life Option Act: EXEMPTION POLICY; Effective date: 06/2016.



CCHCS Palliative Care

CCHCS shall provide palliative care and treatment when the patient's terminal condition results in pain or disability to such an extent that the Primary Care Provider and the patient determine that only palliation shall be provided to provide comfort, relief from pain, and support when the patient has received a terminal diagnosis.

REFERENCE: Inmate Medical Services Policies and Procedures (IMSP&P) Volume 4: Medical Services, Chapter 21; 4.21.1: PALLIATIVE CARE AND TREATMENT POLICY; Effective date: 01/2006; Revision date 09/2015.

Medical Parole

A prisoner, who is deemed as permanently medically incapacitated with a medical condition that renders him or her permanently unable to perform activities of basic daily living, and results in the prisoner requiring 24-hour care, and that incapacitation did not exist at the time of sentencing, shall be granted medical parole if the Board of Parole Hearings determines that the conditions under which the prisoner would be released would not reasonably pose a threat to public safety.

REFERENCE: Penal Code Section 3550; CDCR Title 15 3359.1 Medical Parole General Policy

Recall of Sentence (Compassionate Release)

This applies to inmates with a terminal illness with six months or less to live who do not pose a threat to public safety. The sentencing court can change the sentence after the prisoner has begun to serve it, such that the prisoner is paroled early.

Compassionate release is also available for prisoners permanently medically incapacitated with a condition that did not exist at the time of the original sentencing and that makes the prisoner permanently unable to perform activities of basic daily living and in need of 24-hour care. Such prisoners can also qualify for medical parole, discussed above.

REFERENCE: Penal Code Section 1170; CDCR Title 15 3076 Recall of Commitment Recommendation