

LEGISLATIVE ASSEMBLY

VOLUNTARY ASSISTED DYING BILL 2017

(Amendments to be moved by Ms McLeish)

1. Clause 3, page 6, after line 4, insert—
"*mental illness* has the same meaning as in the **Mental Health Act 2014**";.
2. Clause 9, line 22, omit "12" and insert "6".
3. Clause 9, line 26, omit "tolerable." and insert "tolerable; and".
4. Clause 9, after line 26 insert—
"() the person must not be suffering from a mental illness that—
 (i) may affect the decisions the person makes in relation to voluntary assisted dying; and
 (ii) is likely to respond to treatment or further treatment.".
5. Clause 9, lines 29 and 30, omit all words and expressions on these lines and insert "diagnosed with a mental illness.".
6. Clause 18, after line 30 insert—
"() If the co-ordinating medical practitioner is unable to determine—
 (a) whether the person is suffering from a mental illness; or
 (b) whether the person's mental illness may affect the decisions the person makes in relation to voluntary assisted dying; or
 (c) the likelihood that the person's mental illness will respond to treatment or further treatment—
the co-ordinating medical practitioner must refer the person to a specialist registered medical practitioner who has appropriate skills and training in relation to diagnosis and treatment of the mental illness the person may have.".
7. Clause 18, page 21, line 2, after "(2)" insert "or (3)".
8. Clause 27, after line 32 insert—
"() If the consulting medical practitioner is unable to determine—
 (a) whether the person is suffering from a mental illness; or
 (b) whether the person's mental illness may affect the decisions the person makes in relation to voluntary assisted dying; or
 (c) the likelihood that the person's mental illness will respond to treatment or further treatment—

the consulting medical practitioner must refer the person to a specialist registered medical practitioner who has appropriate skills and training in relation to diagnosis and treatment of the mental illness the person may have."

9. Clause 27, page 26, line 6, after "(2)" insert "or (3)".

AMENDMENTS TO SCHEDULE

10. Form 1 in Schedule 1, page 97, line 32, omit "12" and insert "6".
11. Form 1 in Schedule 1, page 98, line 3, omit "tolerable." and insert "tolerable; and".
12. Form 1 in Schedule 1, page 98, after line 3 insert—
 "(e) is not suffering from mental illness that—
 (i) may affect the decisions the person makes in relation to voluntary assisted dying; and
 (ii) is likely to respond to treatment or further treatment.".
13. Form 1 in Schedule 1, page 98, after line 17 insert—
 "Was a referral sought for a specialist opinion in relation to mental illness?
 ☐ Yes
 ☐ No
 If referral was required, provide details of referral
 [Insert details of referral]".
14. Form 2 in Schedule 1, page 102, line 26, omit "12" and insert "6".
15. Form 2 in Schedule 1, page 102, line 29, omit "tolerable." and insert "tolerable; and".
16. Form 2 in Schedule 1, page 102, after line 29 insert—
 "(e) is not suffering from mental illness that—
 (i) may affect the decisions the person makes in relation to voluntary assisted dying; and
 (ii) is likely to respond to treatment or further treatment.".
17. Form 2 in Schedule 1, page 103, after line 12 insert—
 "Was a referral sought for a specialist opinion in relation to mental illness?
 ☐ Yes
 ☐ No
 If referral was required, provide details of referral
 [Insert details of referral]".