

Instructions - Documenting DWDA (ORS 127.800 to 127.995) Compliance - Prescriber

The law has defined requirements. You can document your compliance on a form the Oregon Health Authority (OHA) provides and you can use it as a step-by-step guide. The Attending Physicians Compliance and Follow-up forms are on this page.

Section B is you, the Attending or prescribing physician.

Section C 1: You can accept a documented first request to another physician, if you choose. In the remainder of C 1, you should be able to check every box after interviewing your patient. Possible risks are vomiting and awakening (very rare), which are reasons to have your patient on hospice.

Section C 2: The earliest you can accept a second request is 15 days after the first one. You should be able to check both boxes.

Section C 3: You record the date on the patient's Request For Medication form. Check for completion of the Declaration of Witnesses section and that all dates are identical.

Section E: Check only one box - the first one if your patient has intact judgment. If you have concerns about judgment, the law requires a consultation by a psychologist or psychiatrist.

Section F: You can write a lethal prescription if these time requirements are met: 15 days after the first recorded request and 48 hours after the date on the patient's Request For Medication form. The time requirements can run concurrently. You should have the completed Consultant's form and the patient's Request form in your possession. If a mental health consultation was done, you should have the completed state form documenting your patient has intact judgment.

The first and second subsections are self-explanatory. You should not give the Rx to your patient; you can personally take it to the pharmacy or you can mail it by USPS or a courier service. In the third subsection, you should be able to check all the boxes.

You can contact our organization for medication and pharmacy information.

You may be asked to complete the death certificate. The immediate cause of death is the underlying illness and the manner of death is natural since ORS 127.880 s.3.14 states, "Actions taken in accordance with ORS 127.800 to 127.897 shall not, for any purpose, constitute suicide, assisted suicide, mercy killing or homicide, under the law."

Within 7 days after writing the prescription, you must mail copies of the 3 forms to the OHA (address at top of the form): Attending Physician's form, Consulting Physician's form, and the patient's Request For Medication form. If a mental health consultation was done, mail it too.

You have up to 10 days after your patient dies, naturally or using the DWDA, to file the completed Attending Physician Follow-up form to the OHA - address is on the last page.