

**State of California
Office of Administrative Law**

In re:
Department of Veterans Affairs

Regulatory Action:

Title 12, California Code of Regulations

Adopt sections: 509

Amend sections:

Repeal sections:

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

**Government Code Sections 11346.1 and
11349.6**

OAL Matter Number: 2016-0608-03

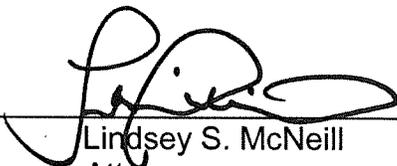
OAL Matter Type: Emergency (E)

This emergency rulemaking action by the Department of Veterans Affairs adopts section 509 in title 12 of the California Code of Regulations to provide that employees, independent contractors, and other persons or entities shall not participate in any activities under the End of Life Option Act while on the premises of a Veterans Home or while acting within the course and scope of employment, or contract with, the Veterans Home. Additionally, veteran members who intend to take an aid-in-dying drug in order to end his or her life shall discharge from the Veterans Home prior to receiving and taking the drug.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 6/17/2016 and will expire on 12/15/2016. The Certificate of Compliance for this action is due no later than 12/14/2016.

Date: June 17, 2016



Lindsey S. McNeill
Attorney

For: Debra M. Cornez
Director

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TITLE 12. MILITARY AND VETERANS AFFAIRS

509. End of Life Option Act

(a) All terminally ill members shall receive appropriate and necessary medical care, including counseling, hospice, and palliative care, as appropriate and desired.

(b) The Veterans Home shall not provide aid-in-dying drugs, as defined in California Health and Safety Code section 443.1, subdivision (b). Employees, independent contractors, or other persons or entities, including health care providers, shall not participate in any activities under the End of Life Option Act, California Health and Safety Code sections 443-443.22, while on the premises of the Veterans Home, or while acting within the course and scope of any employment by, or contract with, the Veterans Home.

(c) If a member intends to take an aid-in-dying drug to end his or her life, prior to receiving and taking the drug, the member shall discharge from the Veterans Home.

(d) The Veterans Home shall re-admit a member if the member discharges pursuant to this section, elects not to take the aid-in-dying drug, and elects to return to the Veterans Home.

Note: Authority cited: California Military and Veterans Code sections 1014 and 1044.

Reference: California Health and Safety Code sections 443, 443.1, 443.2, 443.3, 443.4, 443.5, 443.6, 443.7, 443.8, 443.9, 443.10, 443.11, 443.12, 443.13, 443.14, 443.15, 443.16, 443.17, 443.18, 443.19, 443.20, 443.21, 443.215, 443.22; 42 U.S.C. § 14402; 38 C.F.R. § 51.210.