



University of California Health
1111 Franklin Street
Oakland, CA 94607

health.universityofcalifornia.edu

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March 25, 2021

CHANCELLORS
ACADEMIC COUNCIL CHAIR GAUVAIN
LABORATORY DIRECTOR WITHERELL
ANR VICE PRESIDENT HUMISTON

Re: Systemwide Review of Proposed Presidential Policy: UC Health Participation in Activities under the End of Life Option Act

Dear Colleagues:

Enclosed for systemwide review are proposed revisions to Presidential Policy: UC Health Participation in Activities under the End of Life Option Act.

The issuance of the Interim Presidential Policy: UC Health Participation in Activities under the End of Life Option Act in 2016, coincided with the issuance of the End of Life Option Act (California Health and Safety Code §443, et seq., referred to in this policy as the "Option Act") which allows terminally ill adult patients with the mental capacity to make medical decisions to request to be prescribed and self-administer an aid-in-dying drug to end their life if specific conditions are met.

The Option Act establishes specific procedures and requirements to be followed by patients and health care providers who choose to assist them. It also provides that, upon proper notice, a health care provider may "opt out".

UC Health has chosen not to opt out but acknowledges the rights of individual employees to refrain from participating in activities authorized under the Option Act.

It is the policy of the of the University of California to extend to its patients the choices made available through the Option Act and to comply with its terms. The University, however, neither requires nor encourages any individual provider to participate. Participation in activities authorized

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under the Act is **strictly voluntary**. Health care providers employed by UC Health may choose not to prescribe or dispense Aid in Dying Drugs to their patients, not to serve as consulting physicians, not to perform mental health assessments, not to advise patients of their rights under the Option Act, and not to participate in other activities authorized by the Option Act; and individual patients deemed eligible to receive Aid in Dying Drugs must be provided with information about all of their options, inclusive of comfort care, hospice care, palliative care, pain control and other alternatives to administration of Aid in Dying Drugs.

This policy was revised in consultation with UC Chief Medical Officers, UC Chief Nursing Officers and the UC Office of General Council.

Systemwide Review

Systemwide review is a public review distributed to the Chancellors, the Chair of the Academic Council, the Director of the Lawrence Berkeley National Laboratory, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, especially affected employees, about policy proposals. Systemwide review also includes a mandatory, 90-day full Senate review.

Employees should be afforded the opportunity to review and comment on the draft policy. Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals. The Labor Relations Office at the Office of the President is responsible for informing the bargaining units representing union membership about policy proposals.

We would appreciate receiving your comments no later than **June 24, 2021**. Please submit your comments to brandi.schmitt@ucop.edu. If you have any questions, please contact Cathryn Nation at cathryn.nation@ucop.edu or (510) 987- 9705.

Sincerely,

Carrie Byington, MD EVP

Carrie Byington, MD, EVP
University of California Health

Enclosures:

- 1) Presidential Policy UC Health Participation in Activities under the End of Life Option Act (clean copy)

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- 2) Presidential Policy UC Health Participation in Activities under the End of Life Option Act (redline copy)
- 3) Model Communication

cc: President Drake
Provost and Executive Vice President Brown
Executive Vice Chancellors/Provosts
Executive Vice President and Chief Operating Officer Nava
UC Chief Medical Officers
UC Chief Nursing Officers
Senior Vice President Bustamante
Vice President and Vice Provost Gullatt
Interim Vice President Lloyd
Vice President Maldonado
Vice President Nation
Vice Provost Carlson
Vice Provosts/Vice Chancellors of Academic Affairs/Personnel
Deputy General Counsel Nosowsky
Deputy General Counsel Woodall
Associate Vice Provost Lee
Assistant Vice Provosts/Assistant Vice Chancellors/Directors –
Academic Personnel
Executive Director Baxter
Executive Director and Chief of Staff Henderson
Executive Director Schmitt
Executive Director Silas
Chief of Staff and Chief Policy Advisor Kao
Chief of Staff Levintov
Chief of Staff Peterson
Director Grant
Director Sykes
Manager Crosson
Manager Smith
Analyst Durrin
Policy Advisory Committee