

Private entity obligations

Quick reference guide

Voluntary assisted dying gives people who are suffering and dying, and who meet eligibility criteria, the option of requesting medical assistance to end their lives. It will be available to eligible Queenslanders from 1 January 2023. More information about voluntary assisted dying is available on the [Queensland Health website](#).

This quick reference guide provides a brief overview of the minimum obligations of private entities to ensure their compliance with the [Voluntary Assisted Dying Act 2021](#) (the Act). More detailed information regarding the involvement of entities in voluntary assisted dying is available in [Private entity guidance—voluntary assisted dying](#) and on the [Queensland Health website](#).

Definition of ‘entity’

For the purposes of the Act, an entity is an organisation that operates: a hospital; a residential aged care facility; a hospice; or a facility at which accommodation, nursing or personal care is provided to persons who need nursing or personal care. Provisions regarding entities in the Act apply when a person is receiving a health service, residential aged care, or a personal care service from an entity at a facility but not outside a facility, such as at a private residence.

Permanent and non-permanent residents

Obligations of entities differ depending on whether the person accessing voluntary assisted dying is a permanent resident at a facility.

A person is a **permanent resident** at a facility if the facility is the person’s settled and usual place of abode where the person regularly or customarily lives, for example a resident of a supported independent living facility.

A person is a **non-permanent resident** at a facility if the person resides at the facility temporarily, for example a hospital or hospice inpatient, or someone receiving respite care in a residential aged care facility.

Information about non-availability of voluntary assisted dying

Entities that do not provide voluntary assisted dying must publicly disclose they do not provide these services. This information must be published in a way that makes it likely that people who receive the entity’s services, or may in future receive their services, would become aware of the information, for example, in a printed brochure, on the entity’s website, or displayed on signs at a facility. More information about these requirements is available in [Private entity guidance—voluntary assisted dying](#).

Entity obligations

	Entity must	
	Non-permanent resident	Permanent resident
Request for information	<ul style="list-style-type: none"> • Not hinder access at the facility to information about VAD • Allow reasonable access by a registered health practitioner or QVAD-Support employee 	
Requests (first request, second request, final request)	<ul style="list-style-type: none"> • Allow reasonable access by a medical practitioner who can receive the request, plus two witnesses for the second request • If the practitioner is unable to attend, take reasonable steps to facilitate transfer of the person to a place the request can be made 	
Assessments (first assessment, consulting assessment, referral for determination)	<ul style="list-style-type: none"> • Take reasonable steps to facilitate the transfer of the person to and from a place where the assessment may be carried out • If the person is unable to be transferred, allow reasonable access by the coordinating practitioner (first assessment), consulting practitioner (consulting assessment), or registered health practitioner (referral for determination) 	<ul style="list-style-type: none"> • Allow reasonable access by the coordinating practitioner (first assessment), consulting practitioner (consulting assessment), or registered health practitioner (referral for determination) • If the practitioner is unable to attend, take reasonable steps to facilitate transfer of the person
Administration decision	<ul style="list-style-type: none"> • Take reasonable steps to facilitate the transfer of the person to and from a place where the decision can be made • If the person is unable to be transferred, allow reasonable access by the coordinating practitioner 	<ul style="list-style-type: none"> • Allow reasonable access by the coordinating practitioner • If the practitioner is unable to attend, take reasonable steps to facilitate transfer of the person to a place the decision can be made
Self-administration of the VAD substance	<ul style="list-style-type: none"> • Take reasonable steps to facilitate the transfer of the person to a place the person can self-administer a VAD substance • If the person is unable to be transferred, not hinder access by the person to the VAD substance 	<ul style="list-style-type: none"> • Not hinder access by the person to the VAD substance
Practitioner administration of the VAD substance	<ul style="list-style-type: none"> • Take reasonable steps to facilitate the transfer of the person to a place the person can be administered the VAD substance • If the person is unable to be transferred, allow reasonable access by the administering practitioner and an eligible witness 	<ul style="list-style-type: none"> • Allow reasonable access by the administering practitioner and an eligible witness