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S.D. SEC. OF STATE

Initiated Measure

Attorney General's Explanation

Title: An Initiated Measure authorizing a South Dakota- licensed physician to prescribe drugs that a terminally ill patient may take for the purpose of ending life.

Attorney General's Explanation: This measure authorizes a State-licensed physician, if requested by an adult patient diagnosed with a terminal disease, to prescribe life-ending drugs for the patient. The measure allows only the patient to self- administer the prescribed life -ending drugs. A "terminal disease" is incurable, irreversible, and expected to produce death within six months. The patient must be a South Dakota resident, as defined by the measure.

The patient must orally make the request to his or her attending physician, followed by another oral request after a fifteen - day period. The patient must also make a written request witnessed by two people. The patient may rescind the request at any time.

Before prescribing the drugs, the attending physician must determine the patient is mentally competent and is making an informed and voluntary decision. The physician must also advise the patient of certain information, including medical diagnosis, prognosis, and alternatives such as comfort care, hospice care, and pain control. A second physician must confirm the diagnosis and consult with the patient to verify the patient's decision.

Individuals acting in good faith under this measure will not face civil or criminal liability or professional disciplinary action. The measure does not mandate participation by healthcare providers.

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