

**AMENDMENT TO S. 77 OFFERED BY SENATORS
GALBRAITH AND HARTWELL**

Sec. 1. 18 V.S.A. chapter 113 is added to read:

**CHAPTER 113. IMMUNITY FOR DOUBLE EFFECT LETHAL
MEDICATION**

**§ 5281. TERMINALLY ILL PATIENTS; DOUBLE EFFECT LETHAL
MEDICATION; IMMUNITY FOR PRESCRIBING OR BEING
PRESENT WHEN INGESTED**

(a) As used in this section:

(1) “Double effect medication” means medication prescribed to relieve pain which also has the effect of hastening death or substantially increasing the risk of death.

(2) “Terminal condition” means an incurable and irreversible disease which would, within reasonable medical judgment, result in a death within six months.

(b) A physician who prescribes a lethal dosage of a double effect medication to a terminally ill person shall not be subject to criminal or civil liability or professional disciplinary action if the physician warns the person about the effects of ingesting the medication and the person self-administers the medication and dies as a result.

(c) A person shall not be subject to criminal or civil liability solely for being present when a person with a terminal condition ingests a lethal dose of medication that has been prescribed by a physician.

(d) The Board of Medical Practice shall adopt a rule listing the drugs that may permissibly be used for purposes of this section.