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DOH RELEASES 2023 OUR CARE, OUR CHOICE ANNUAL REPORT

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HONOLULU — More patients utilized the Medical Aid in Dying (MAID) program last year than in 2022, according to the 2023 Our Care, Our Choice Act (OCOCA) Annual Report, prepared by the Hawai'i Department of Health (DOH) Office of Planning, Policy and Program Development, July 1, 2024.

Last year, 91 patients received aid-in-dying prescriptions, which is 31 more than the 2022 total. The Office of Planning, Policy and Program Development said that this is also in line with national data trends and may be due to the increased accessibility that took effect June 1, 2023.

The annual report provides statistics for the OCOCA, which was enacted January 1, 2019. The act allows eligible individuals with terminal illnesses to request medicine that will help them control when and how they choose to die.

Amendments to the OCOCA went into effect on June 1, 2023, resulting in the following changes:

- Qualified advanced practice registered nurses (APRNs) can now act as attending, consulting or counseling providers;
- Licensed marriage and family therapists (LMFTs) are now qualified counseling providers; and

- The waiting period between a patient’s first and second oral request is now five days and can be waived if the provider determines that the patient won’t survive.

“Attending” and “consulting providers” are defined in the act as licensed providers in Hawai’i qualified to make diagnoses and prognoses about a patient. The “counseling providers” are several types of professionals with a behavioral health specialization and are qualified to evaluate a patient’s mental capacity.

“The number of unique providers continues to increase, which is a benefit to patients who wish to use the option,” said Office of Planning, Policy and Program Development Chief Lorrin Kim. “The number of providers participating in MAID increases access to patients. In the beginning, there were only a handful of providers, so patients in rural areas could not access program benefits and may have unnecessarily suffered. Over the years, the law has been amended to increase access, such as allowing telehealth and expanding the types of providers from only physicians.”

Additionally, the new waiting period between oral requests for aid-in-dying prescriptions is a much shorter duration, from the previous 20 days to five.

Other data from the report revealed that most participants were diagnosed with terminal cancer, and nearly 80% of MAID patients were enrolled in hospice.

DOH continues to recommend hospice for all MAID patients, though it is not a requirement.

“Hospice is strongly encouraged for the supportive care and environment it provides to both patients and their families,” Kim said. “DOH’s position is that MAID is part of the continuum of end-of-life care that includes hospice and palliative care. Conversations about hospice and palliative care can be difficult, and too often this care is started too late. We encourage health care providers to discuss hospice and palliative care with patients who might benefit, and we support access to MAID when appropriate.”

Patients are eligible for aid-in-dying prescriptions if they meet all the following requirements:

- Patient is terminally ill and has six months or less to live
- Patient is 18 years or older and a Hawai’i resident
- Patient can independently take the prescribed medication
- Patient can make two oral requests not less than five days apart to their attending provider
- Patient can provide one written request after meeting eligibility criteria from three health care providers
- Patient is mentally capable of making an informed decision

To read the OCOCA, visit [here](#). For more information and updated forms, visit <https://health.Hawaii.gov/opppd/ococ/>

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