

Assisted Dying for Terminally Ill Adults (Scotland) Bill — Stage 2

[SP60] Bob Doris

In section 7, page 4, line 34, at end insert—

- <(3) A registered medical practitioner carrying out an assessment under section 6 must request a statement from the local authority for the area that the person being assessed resides as to whether it knows or believes that the person is an adult at risk (within the meaning of section 3 of the Adult Support and Protection (Scotland) Act 2007).>

[SP61] Bob Doris

In section 7, page 4, line 16, at end insert—

- <() that they may request to be referred for assessment by a registered social worker under subsection (4)(a) (including any potential benefits to receiving such an assessment),>

[SP62] Bob Doris

In section 7, page 4, line 34, at end insert—

- <(4) A registered medical practitioner carrying out an assessment under section 6 must refer the person for assessment by a registered social worker where—
- (a) the person informs the registered medical practitioner that they wish to receive such an assessment,
 - (b) a statement requested under subsection (3) indicates that the local authority knows or believes that the person is an adult at risk, or
 - (c) they have doubt as to whether the person being assessed made the declaration voluntarily.>

[SP63] Bob Doris

In section 6, page 3, line 27, after <7(1)> insert <, (3) and (4)>

[SP81] Bob Doris

In schedule 2, page 17, line 35, after <7(1)> insert <, (3) and (4)>

[SP140] Bob Doris

In schedule 2, page 18, line 24, <7(1)> insert <, (3) and (4)>

[SP117] Bob Doris

In section 7, page 4, line 34, at end insert—

- <(5) Where a local authority receives a request for a statement under subsection (3), it must provide the registered medical practitioner with such a statement as soon as reasonably practicable.
- (6) The Scottish Ministers may by regulations specify what timescale is “reasonably practicable” for the purposes of subsection (5).>

[SP118] Bob Doris

In section 7, page 4, line 34, at end insert—

- <(7) Where a referral under subsection (4) for a person to be assessed by a registered social worker is made to a local authority, the local authority must ensure that such an assessment is undertaken as soon as reasonably practicable.
- (8) The Scottish Ministers may by regulations specify what timescale is “reasonably practicable” for the purposes of subsection (7).>

[SP194] Bob Doris

In section 28, page 14, line 12, at end insert—

<() regulations under section 7(6),>

[SP195] Bob Doris

In section 28, page 14, line 12, at end insert—

<() regulations under section 7(8),>

[SP119] Bob Doris

In section 6, page 3, line 12, leave out <by any other person>

[SP120] Bob Doris

In section 6, page 3, line 23, leave out <by any other person>

[SP121] Bob Doris

In section 8, page 4, line 40, leave out <by any other person>

[SP122] Bob Doris

In section 8, page 5, line 6, leave out <by any other person>

[SP123] Bob Doris

In section 15, page 8, line 31, leave out <by any other person>

[SP124] Bob Doris

In schedule 1, page 16, line 24, leave out <by any other person>

[SP125] Bob Doris

In schedule 2, page 17, line 22, leave out <by any other person>

[SP126] Bob Doris

In schedule 2, page 18, line 14, leave out <by any other person>

[SP127] Bob Doris

In schedule 3, page 19, line 16, leave out <by any other person>

[SP128] Bob Doris

In schedule 3, page 19, line 35, leave out <by any other person>

[SP129] Bob Doris

In section 29, page 14, line 22, at end insert—

<“coerced or pressured” means to have been unduly influenced, directly or indirectly, by—

- (a) the person’s own beliefs about themselves,
- (b) any other person,
- (c) the expectations of society,
- (d) the health and social care system,
- (e) the state,>

[SP65] Bob Doris

In section 29, page 15, line 3, at end insert—

<“voluntarily” means not having been coerced or pressured.>

[SP66] Bob Doris

In section 7, page 4, line 3, at end insert—

<() enquire about and discuss the person’s reasons for wishing to be lawfully provided with assistance to end their own life,>

[SP67] Bob Doris

After section 8, insert—

<Assessment of palliative care needs

- (1) The coordinating registered medical practitioner must, as soon as reasonably practicable after the first declaration is made, refer the person for assessment of their palliative care needs by a registered medical practitioner who is registered in the specialism of palliative medicine in the Specialist Register kept by the General Medical Council.
- (2) In this section, “palliative care needs” includes relevant social needs.>

[SP130] Bob Doris

After section 5, insert—

<Provision of palliative care

- (1) As soon as reasonably practicable after receiving an assessment under section (*Assessment of palliative care needs*), a terminally ill adult must, if they consent, be provided with palliative care in line with their assessed needs.

- (2) The Scottish Ministers must, by regulations, make further provision in relation to the provision of palliative care under subsection (1).>

[SP131] Bob Doris

In section 28, page 14, line 12, at end insert—

<() regulations under section (*Provision of palliative care*)(2)>

[SP68] Bob Doris

In section 7, page 4, line 4, leave out <, in so far as the registered medical practitioner considers appropriate>

[SP69] Bob Doris

In section 7, page 4, line 17, leave out <in so far as the registered medical practitioner considers appropriate,>

[SP79] Bob Doris

In section 7, page 4, line 23, after <6> insert <must>

[SP70] Bob Doris

In section 7, page 4, line 24, leave out <may,>

[SP71] Bob Doris

In section 7, page 4, line 28, leave out <may,>

[SP80] Bob Doris

In section 7, page 4, line 33, leave out <must,>

[SP72] Bob Doris

In section 6, page 3, leave out lines 27 and 28 and insert <must also take the steps mentioned in section 7.>

[SP73] Bob Doris

In schedule 2, page 17, line 35, leave out <7(1)> and insert <7>

[SP74] Bob Doris

In schedule 2, page 18, line 24, leave out <7(1)> and insert <7>

[SP78] Bob Doris

In section 8, page 5, line 11, at end insert—

<() The statement must specify the reasons given by the person for wishing to be lawfully provided with assistance to end their own life.>

[SP75] Bob Doris

In schedule 2, page 17, line 35, at end insert—

<The reason(s) given by [*name of adult*] for wishing to be lawfully provided with assistance to end their own life is/are [*specify*].>

[SP76] Bob Doris

In schedule 2, page 18, line 24, at end insert—

<The reason(s) given by [*name of adult*] for wishing to be lawfully provided with assistance to end their own life is/are [*specify*].>

[SP77] Bob Doris

After section 8, insert—

<Medical practitioner's report

- (1) Where the coordinating registered medical practitioner has carried out an assessment mentioned in section 6(2), they must prepare a report detailing—
 - (a) the information gathered as part of the assessment,
 - (b) their reasons for making, or not making, a statement mentioned in section 8(1).
- (2) Where the independent registered medical practitioner has carried out an assessment mentioned in section 6(4), they must prepare a report detailing—
 - (a) the information gathered as part of the assessment,
 - (b) their reasons for making, or not making, a statement mentioned in section 8(2).
- (3) The report mentioned in subsection (1) or, as the case may be, (2) must be—
 - (a) in a form to be set out by the Scottish Ministers in regulations,
 - (b) signed and dated by the registered medical practitioner making it.
- (4) The report must be recorded in the person's medical records (see section 13).
- (5) Subsection (1) or (2) does not apply if, at any time before the report is prepared, the first declaration is cancelled (see section 11).>

[SP132] Bob Doris

In section 28, page 14, line 12, at end insert—

<() regulations under section (*Medical practitioner's report*)(3)(a),>

[SP133] Bob Doris

In section 11, page 6, line 31, at end insert—

- <() the coordinating registered medical practitioner need not prepare a report mentioned in section (*Medical practitioner's report*)(1),
- () the independent registered medical practitioner need not prepare a report mentioned in section (*Medical practitioner's report*)(2).>

[SP134] Bob Doris

In section 13, page 7, line 22, at end insert—

<() a report under section (Medical practitioner's report)(1) is prepared,
() a report under section (Medical practitioner's report)(2) is prepared,>

[SP135] Bob Doris

In section 13, page 7, line 25, leave out <or, as the case may be, statement> and insert <, statement or report>

[SP136] Bob Doris

In section 3, page 1, line 18, after <Scotland,> insert—

<() can be reasonably expected to die within six months,>

[SP137] Bob Doris

In schedule 2, page 17, line 33, after <Scotland,> insert—

<() can be reasonably expected to die within six months,>

[SP138] Bob Doris

In schedule 3, page 19, line 31, after <Scotland,> insert—

<() can be reasonably expected to die within six months,>

[SP139] Bob Doris

In section 7, page 4, line 24, after <ill> insert <and can reasonably be expected to die within six months>