

Executive Board

(Systemwide Senate Review) Proposed Presidential Policy UC Health Participation in Activities Under the End of Life Option Act

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Mary Gauvain
Telephone: (510) 987-0887
Email: mary.gauvain@ucop.edu

*Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200*

June 24, 2021

**SUSAN CARLSON, VICE PROVOST
ACADEMIC PERSONNEL**

Re: UC Health Participation in Activities under the End of Life Option Act

Dear Susan,

As requested, I distributed for systemwide Senate review proposed revisions to the UC Presidential Policy, "UC Health Participation in Activities under the End of Life Option Act." Nine Academic Senate divisions submitted comments. These comments were discussed at Academic Council's June 23 meeting and are attached for your reference.

We understand that the Policy updates and makes permanent a 2016 interim UC policy that defines the University's compliance with the End of Life Option Act, a California law that allows certain terminally ill adults with the capacity to make medical decisions to request a prescription for an aid-in-dying drug. The UC Policy emphasizes that the participation of individual UC Health employees in these activities is strictly voluntary.

The Academic Senate supports the policy, but we also have some outstanding questions. First, we want to ensure that the individual opt-out clause does not present an undue burden to patients who want to exercise their rights under the End of Life Option Act. Each UC medical center should employ staff who are committed to the principles of the Act and whose duties include providing information, support, and guidance to individuals who wish to exercise the option, including referrals to medical personnel who are willing to assist them. Another question is whether the opt-out clause could potentially open the door to physicians refusing to provide other services or treat other conditions. This is a complex matter with no easy answer, but it may be worth considering in a broader and more deliberate way. Finally, the Senate recommends that the Policy clarify any special considerations or legal requirements around minors, as well as the role of a non-participating physician in a patient's continuing care, and whether those physicians would be allowed to provide "counter advice" to the patient regarding ending their life.

We appreciate the opportunity to comment. Please do not hesitate to contact me if you have additional questions.

Sincerely,

A handwritten signature in cursive script that reads "Mary Gauvain".

Mary Gauvain, Chair
Academic Council

cc: Academic Council
Senate Directors
Executive Director Baxter

Encl.



DAVIS DIVISION OF THE ACADEMIC SENATE
ONE SHIELDS AVENUE
DAVIS, CALIFORNIA 95616-8502
(530) 752-2220
academicsenate.ucdavis.edu

June 16, 2021

Mary Gauvain
Chair, Academic Council

RE: Proposed Presidential Policy: UC Health Participation under the End of Life Option Act

Dear Mary,

The proposed Presidential Policy: UC Health Participation under the End of Life Option Act was forwarded to all standing committees of the Davis Division of the Academic Senate. The Faculty Executive Committee of the School of Nursing (SON) responded.

SON supports UC Health's direction and the rights of individual employees. The Davis Division appreciates the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Tucker", is written over a light blue horizontal line.

Richard P. Tucker, Ph.D.
Chair, Davis Division of the Academic Senate
University of California, Davis

Enclosed: Davis Division Committee Responses

c: Hilary Baxter, Executive Director, Systemwide Academic Senate
Michael LaBriola, Assistant Director, Systemwide Academic Senate
Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate

Proposed Presidential Policy: UC Health Participation in Activities under the End of Life Option Act

FEC: School of Nursing Committee Response

June 4, 2021

Our FEC reviewed the proposed policy and the policy was shared with our clinical faculty to seek additional input. We appreciate UC Health's thoughtful direction: not to opt out but acknowledging the rights of individual employees to refrain from participating in activities authorized under the Option Act – with provider participation strictly voluntary. We do not have any additional input or comments to offer at this time. Thank you.

June 2, 2021

**MARY GAUVAIN, CHAIR
ACADEMIC COUNCIL**

**RE: SYSTEMWIDE REVIEW OF PROPOSED PRESIDENTIAL POLICY ON UC HEALTH
PARTICIPATION IN ACTIVITIES UNDER THE END OF LIFE OPTION ACT**

Dear Chair Gauvain,

The Irvine Division Senate Cabinet discussed the proposed Presidential policy on UC Health participation in activities under the End of Life Option Act at its meeting on June 1, 2021. The Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) also reviewed the proposed policy. The Council's comments are attached and additional feedback from Cabinet members is below.

Cabinet members agreed with CFW that this is an enormously serious and sensitive issue, and that terminally ill adult patients choosing to exercise their rights under the Option Act should not be further traumatized by the process of finding a healthcare provider, only to be refused care. Members felt that UC Health had an obligation to assist patients in this situation. However, some members felt that a public website or list of participating physicians was inappropriate, as these providers may be subject to harassment from those who disagree with the law. It was suggested that a social worker or dedicated UC Health staff should assist patients with finding a physician who provides services authorized under the Option Act.

Some members felt there should be mandatory compliance with the law, however. They expressed grave concern that by allowing individual employees to opt out from participating in activities authorized under the Option Act, UC Health was opening the door to physicians refusing to treat other conditions, or certain individuals, based on their personal beliefs.

The Irvine Division appreciates the opportunity to comment.

Sincerely,



Jeffrey Barrett, Chair
Academic Senate, Irvine Division

Cc: Joanna Ho, Chair Elect
Kate Brigman, Executive Director
Gina Anzivino, Associate Director
Brandon Haskey-Valerius, Cabinet Analyst



May 17, 2021

**JEFFREY BARRETT, CHAIR
ACADEMIC SENATE – IRVINE DIVISION**

**Re: Systemwide Review of Proposed Presidential Policy on UC Health
Participation in Activities under the End of Life Option Act**

Systemwide Senate Chair Gauvain has forwarded for review a proposed Presidential Policy on UC Health Participation in Activities under the End of Life Option Act. The policy would replace an interim policy issued in 2016.

The Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) s this issue at its meeting on May 11, 2021 and members had the following comments:

1. Members agreed that this is an enormously serious and sensitive issue due to the careful reflection and heartbreaking reality checks one must go through to choose to end one's own life. However, once someone does so it seems particularly cruel that a medical professional can opt out of assisting that patient. Therefore, members strongly advocated for some way to communicate (on a webpage, from a list one may request) to prospective end-of-life decision patients that a particular MD will not assist.
2. Does assistance with end-of-life then depend on which MD one happens to have? There needs to be clear information made available about the situation and various options a patient may have before it gets to the point of an end-of-life decision.
3. The pivotal provision here is that healthcare providers who "opt out" must nonetheless *inform* patients about all options and *refer* them to other providers who are willing to participate.
4. There is a great difference between having a Do Not Resuscitate (DNR) and a physician honoring that and asking a physician to help end a life. MDs are currently faced with many treatment requests with which they do not agree for many reasons both ethical and medically. They are allowed to use their discretion and expertise to not participate. Hence the people we hear about who go to another country for a treatment that their doctors will not do here. As well, MDs already face great pressure from insurance companies related to medical treatments even to the level of how long they meet with patients for certain types of appointments and this external meddling has not benefitted anyone. Finally, MDs are people with individual belief systems. Forcing a MD who does not wish to participate in ending a life or whose specialty directly contradicts ending a life, can present psychological stress to an already stressful position inhibiting their care and also create staffing issues.
5. Overall, members agreed that this policy should belong in the hands of medical professionals, not administrations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Terry Dalton', with a large, stylized loop at the top.

Terry Dalton, Chair
Council on Faculty Welfare, Diversity, and Academic Freedom

C: Kate Brigman, Executive Director
Academic Senate

Gina Anzivino, Associate Director
Academic Senate

June 8, 2021

Mary Gauvain
UC Academic Senate Chair

Re: (Systemwide Senate Review) Proposed Presidential Policy on UC Health Participation in Activities under the End of Life Option Act

Dear Chair Gauvain,

After review by appropriate standing committees, the Executive Board of the UCLA Division discussed the (Systemwide Senate Review) Proposed Presidential Policy on UC Health Participation in Activities under the End of Life Option Act at its meeting on June 3, 2021. Members of the Executive Board unanimously endorsed the proposal as written.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane White", is enclosed in a rectangular box.

Shane White
Chair, UCLA Academic Senate

Encl.

Cc: Jody Kreiman, Vice Chair/Chair Elect, UCLA Academic Senate
Michael Meranze, Immediate Past Chair, UCLA Academic Senate
April de Stefano, Executive Director, UCLA Academic Senate

May 27, 2021

Shane White, Chair
Academic Senate

Re: UC Health Participation in Activities under the End of Life Option Act

Dear Chair White,

At its meeting on April 28 2021, the Faculty Welfare Committee discussed the UC Health participation in activities under the End of Life Option Act. Committee members offered the following comments.

Members agreed with the changes to the policy, which they found to be mostly editorial. A majority agreed that not providing end of life services is an important clarification to include in the policy.

If you have any questions, please contact us via the Faculty Welfare Committee's interim analyst, Elizabeth Feller, at efeller@senate.ucla.edu.

Sincerely,

Huiying Li, Chair
Faculty Welfare Committee

cc: Jody Kreiman, Vice Chair/Chair Elect, Academic Senate
Michael Meranze, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Interim Analyst, Faculty Welfare Committee
Members of the Faculty Welfare Committee

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SANTA BARBARA • SANTA CRUZ

OFFICE OF THE ACADEMIC SENATE, MERCED DIVISION
ROBIN DELUGAN, CHAIR, DIVISIONAL COUNCIL

UNIVERSITY OF CALIFORNIA, MERCED

June 4, 2021

To: Mary Gauvain, Chair, Academic Council

Re: [Proposed Revised Presidential Policy for UC Health Participation in Activities under End of Life Option Act](#)

The Interim Presidential Policy for UC Health Participation in Activities under End of Life Option Act was issued in 2016, coinciding with the issuance of the End of Life Option Act (California Health and Safety Code §443, et seq.). The revised policy under review was proposed in consultation with UC Chief Medical Officers, UC Chief Nursing Officers and the UC Office of General Council. The proposed revised policy defines UC Health to explicitly include Student Health Centers, and spells out the specific responsibility of the Student Health Centers.

The Merced Division Senate and School Executive Committees were invited to comment on the proposed revised policy. Comments were received from the Committee on Research (CoR) and the Committee on Faculty Welfare and Academic Freedom (FWAF). All comments are appended for your consideration.

CoR and FWAF both endorse the proposed revisions. FWAF welcomes the addition of the FAQ section, which it found to offer helpful guidance.

The Merced Division thanks you for the opportunity to review this item.

Sincerely,

A handwritten signature in cursive script, reading "Robin M. DeLugan".

Robin DeLugan
Chair, Divisional Council
UC Merced

Cc: DivCo Members
Hilary Baxter, Systemwide Senate Executive Director
Michael LaBriola, Systemwide Senate Assistant Director
UCM Senate Office

Encl (2)

[CoR memo](#)

[FWAF memo](#)

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ACADEMIC SENATE, MERCED DIVISION
COMMITTEE ON RESEARCH
KARA MCCLOSKEY, CHAIR
kmcloskey@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

April 30, 2021

To: Robin DeLugan, Chair, Division Council

From: Kara McCloskey, Chair, Committee on Research (COR)

A handwritten signature in black ink, appearing to read "Kara McCloskey", is positioned above the "From:" line.

Re: Proposed Presidential Policy: UC Health Participation in Activities under the End of Life Option Act

CoR reviewed the proposed Presidential Policy: UC Health Participation in Activities under the End of Life Option Act. The committee endorses the proposed policy and appreciates the opportunity to opine.

cc: Senate Office

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ACADEMIC SENATE, MERCED DIVISION
COMMITTEE ON FACULTY WELFARE AND ACADEMIC FREEDOM
CAROLIN FRANK, CHAIR
cfrank3@ucmerced.edu

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5200 NORTH LAKE ROAD
MERCED, CA 95343
(209) 228-4369

April 28, 2021

To: Robin DeLugan, Chair, Divisional Council

From: Carolin Frank, Chair, Committee on Faculty Welfare and Academic Freedom (FWAF)

Re: Presidential Policy for UC Health Participation in Activities under End of Life Option Act

FWAF reviewed the [proposed revisions](#) to the Presidential Policy for UC Health Participation in Activities under End of Life Option Act at its meeting on April 28, 2021. FWAF welcomes the addition of the FAQ section to provide helpful guidance, and is pleased to endorse the revisions.

FWAF appreciates the opportunity to opine.

cc: Senate office



CHAIR, ACADEMIC SENATE
RIVERSIDE DIVISION
UNIVERSITY OFFICE BUILDING, RM 225

JASON STAJICH
PROFESSOR OF BIOINFORMATICS
RIVERSIDE, CA 92521-0217
TEL: (951) 827-6193
EMAIL: JASON.STAJICH@UCR.EDU

June 15, 2021

Mary Gauvain, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: Systemwide Review of Proposed Presidential Policy: UC Health Participation in Activities under the End of Life Option Act

Dear Mary,

I write to provide the Riverside Division's response to the *Proposed Presidential Policy: UC Health Participation in Activities under the End of Life Option Act* and so have attached memos from Divisional standing and faculty executive committees.

Sincerely yours,

/s/Jason Stajich

Professor of Bioinformatics and Chair of the Riverside Division

CC: Hilary Baxter, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate Office



School of Medicine
Division of Biomedical Sciences
Riverside, CA, 92521

School of Medicine

May 26th, 2021

To: Jason Stajich, Ph.D., Chair, Academic Senate, UCR Division

From: Declan McCole, Ph.D., Chair, Faculty Executive Committee, UCR School of Medicine

Subject: SOM FEC Response to Presidential Policy on UC Health Participation in Activities
under the End of Life Option Act

Dear Jason,

The SOM Faculty Executive Committee has reviewed the Presidential Policy on UC Health Participation in Activities under the End of Life Option Act. We are in agreement with the document and have no additional comments.

Yours sincerely,

A handwritten signature in black ink that reads "Declan McCole". The signature is written in a cursive, flowing style.

Declan F. McCole, Ph.D.
Chair, Faculty Executive Committee
School of Medicine



Academic Senate

COMMITTEE ON FACULTY WELFARE

May 18, 2021

To: Jason Stajich
Riverside Division Academic Senate

From: Patricia Morton, Chair
Committee on Faculty Welfare

Re: [Systemwide Review] Proposed Presidential Policy: UC Health Participation in
Activities under the End of Life Option Act

The Committee on Faculty Welfare met on May 18, 2021 to consider the proposed Presidential Policy on UC Health Participation in Activities under the End of Life Option Act. CFW feels this is beyond the committee's purview and provided no further comment.



UC SANTA BARBARA

Academic Senate
Susannah Scott, Chair
Shasta Delp, Executive Director

1233 Girvetz Hall
Santa Barbara, CA 93106-3050
<http://www.senate.ucsb.edu>

June 16, 2021

To: Mary Gauvain, Chair
Academic Senate

From: Susannah Scott, Chair
Santa Barbara Division *Susannah L. Scott*

Re: Systemwide Review of Proposed Presidential Policy: UC Health Participation in Activities
under the End of Life Option Act

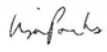
The Santa Barbara Division distributed the proposed revised policy to the Council on Faculty Welfare, Academic Freedom, and Awards, and the Committee on Diversity and Equity. Overall, the Santa Barbara Division supports UC Health's decision not to opt out of the End of Life Option Act, although the individual opt-out clause caused both committee's to express concern about the ability of all patients to exercise their rights without undue burden in the event that all providers in a particular area opt out. The Committee on Diversity and Equity links this concern to the need for UC to engage in broader conversations about health care access. We attach both individual memos for your consideration.

We thank you for the opportunity to comment.

**Academic Senate
Santa Barbara Division**

June 8, 2021

To: Susannah Scott, Divisional Chair
Academic Senate

From: Lisa Parks, Chair 
Council on Faculty Welfare, Academic Freedom, and Awards

Re: UC Health Participation in Activities under the End of Life Option Act

The Council on Faculty Welfare, Academic Freedom, and Awards met on June 2, 2021 to discuss the UC Health Participation in Activities under the End of Life Option Act.

Members were unanimous that people in all areas should have access to the appropriate resources to exercise their rights under the End of Life Option Act. They stressed that the policy should ensure that patients do not face undue burdens or costs associated with this decision, and this should be guaranteed by the University of California.

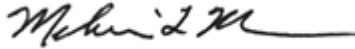
CC: Shasta Delp, Executive Director, Academic Senate

**Academic Senate
Santa Barbara Division**

June 9, 2021

To: Susannah Scott, Divisional Chair
Academic Senate

From: Melissa L. Morgan, Chair
Committee on Diversity and Equity



Re: UC Health Participation in Activities Under the End of Life Option Act

At its meeting of June 7, 2021, the Committee on Diversity and Equity (CDE) discussed the proposed UC Health Participation in Activities Under the End of Life Option Act. CDE acknowledges UC Health's option to not "opt out," and supports this inclusivity. However, CDE sees potential access issues if all employees at a certain provider location individually opt out of participating in the End of Life Option. How will these decisions be made? What are the procedures for opting out? How do we prevent the influence of other employees? CDE would also have liked to see more information about the broader context for this policy. There are parallels between the End of Life Option Act and other healthcare services such as abortion, which some providers that UC contracts with will not provide. What broader conversations are happening about healthcare access within the UC system?

CC: Shasta Delp, Executive Director, Academic Senate



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SANTA CRUZ, CALIFORNIA 95064

Office of the Academic Senate
SANTA CRUZ DIVISION
125 CLARK KERR HALL
(831) 459 - 2086

June 14, 2021

Mary Gauvain, Chair
Academic Council

Re: Systemwide Review of Proposed Presidential Policy: UC Health Participation in Activities under the End of Life Option Act

Dear Mary,

The Santa Cruz Division has reviewed and discussed the proposed revisions to the Presidential Policy on UC Health Participation in Activities under the End of Life Option Act. Our Committees on Faculty Welfare (CFW) and Emeriti Relations (CER) responded. Although the University of California (UC) has not opted out of the program, as individual providers may decline to participate, it is not clear to the Santa Cruz Division how the UC can guarantee that an individual who would like to exercise the end-of-life option will be able to find medical personnel to assist them. As such, the Santa Cruz Division recommends that the UC require that each UC medical center employ staff who are committed to the principles of the end-of-life option and whose duties include providing information, support, and guidance to individuals who may wish to exercise the option. Additionally, we note that some UC medical center websites provide information on the program (e.g. UCLA¹ and UCSD²). We recommend that every UC medical center be required to do the same.

Thank you for the opportunity to comment on this proposed revision.

Sincerely,

A handwritten signature in dark ink, reading "David Brundage", is written over a light gray rectangular background.

David Brundage, Chair
Academic Senate
Santa Cruz Division

¹ <https://www.uclahealth.org/end-of-life-option-act-resources-materials>

² <https://health.ucsd.edu/patients/yourhospitalstay/Pages/aid-in-dying.aspx>

cc: Nico Orlandi, Chair, Committee on Faculty Welfare
Judith Aissen, Chair, Committee on Emeriti Relations



OFFICE OF THE ACADEMIC SENATE

9500 GILMAN DRIVE
LA JOLLA, CALIFORNIA 92093-0002
TELEPHONE: (858) 534-3640
FAX: (858) 534-4528

June 15, 2021

Professor Mary Gauvain
Chair, Academic Senate
University of California
VIA EMAIL

Re: Divisional Review of UC Health Participation in Activities under the End of Life Option Act

Dear Professor Gauvain,

The proposed revisions to the UC Health Participation in Activities under the End of Life Option Act Presidential Policy were distributed to San Diego Divisional Senate standing committees and discussed at the June 14, 2021 Divisional Senate Council meeting. Senate Council endorsed the proposal, and had the following comments.

It is unclear if there are any special considerations for minors, and if parents can make the decision on behalf of their minor children. The policy does not state whether or not there is a requirement for legal counsel to be present to witness and notarize the patient's decision. In "Section VIII. Frequently Asked Questions," additional clarification may be helpful to explain the continuing role of a non-participating physician in the patient's care, and whether or not they are allowed to provide "counter advice" to the patient regarding not ending their life.

The response from the Divisional Committee on Faculty Welfare is attached.

Sincerely,

A handwritten signature in black ink that reads "Steven Constable".

Steven Constable
Chair
San Diego Divisional Academic Senate

Attachment

cc: Tara Javidi, Vice Chair, San Diego Divisional Academic Senate
Ray Rodriguez, Director, San Diego Divisional Academic Senate
Hilary Baxter, Executive Director, UC Systemwide Academic Senate

June 1, 2021

STEVEN CONSTABLE, CHAIR
Academic Senate, San Diego Division

SUBJECT: End of Life Option Policy

The Committee on Faculty Welfare (CFW) reviewed the End of Life Option Policy revision at its May meeting. While the Committee had no objections to the revisions there were a few questions that were raised, which are enumerated below:

1. How will it be ensured that no coercion is imposed by, e.g. close relatives, prior to the physician coming in, towards influencing the patient one way or another?
2. What special considerations are there for minors? Can parents make the decision on behalf of their children who are minors?
3. Is there a requirement for legal counsel to be present to witness and notarize this? Isn't such a precaution imperative to preserve the legal sanctity of this important step?
4. In Section VIII. FAQ, for providers who opt not to participate, will they be allowed to provide "counter advice", either conscientious, moral or religious, to not ending life, as in the case of abortion?

Sincerely,

Shantanu Sinha, Chair
Committee on Faculty Welfare

cc: T. Javidi

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<https://senate.ucsf.edu>

Sharmila Majumdar, PhD, Chair
Steven Cheung, MD, Vice Chair
Pamela Ling, MD, Secretary
Jae Woo Lee, MD, Parliamentarian

June 16, 2021

Mary Gauvain, PhD
Chair, Academic Council
Systemwide Academic Senate
University of California Office of the President
1111 Franklin St., 12th Floor
Oakland, CA 94607-5200

Re: UC Health Participation in Activities under the End of Life Option Act

Dear Mary:

UCSF's Clinical Affairs Committee has reviewed the proposed revisions to the Presidential policy on UC Health's participation in activities under the End of Life Option Act, which allows UC Health providers to prescribe and dispense Aid in Dying Drugs in accordance with the Act. In making these comments, we note these revisions do not significantly impact the policy, and provider participation is not required, but is strictly voluntary.

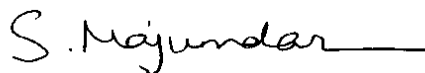
Therefore, our Division supports the revisions, which include:

- Capitalization of defined terms;
- Replacement "his/her" with "their";
- Student Health Center Compliance: The proposed revisions add a section that requires Student Health Centers to ensure and document compliance with the Act.
- FAQ: The proposed revisions add a frequently asked question: "How should Health Care Providers who have chosen not to participate in the Act communicate this information to patients who have requested information about the Act?"

On the last bullet point, the San Francisco Senate Division believes that this is a particularly important question to add to the FAQ, as there will inevitably be health care providers who will choose not to participate.

Thank you for the opportunity to provide feedback on this review. If you have any questions, please let me know.

Sincerely,



Sharmila Majumdar, PhD, 2019-21 Chair
UCSF Academic Senate

Enclosures (1)

Cc: Kathleen Liu, Clinical Affairs Committee Chair

Clinical Affairs Committee

Kathleen Liu, M.D., Ph.D., M.A.S., Chair

May 25, 2021

Sharmila Majumdar, Ph.D.
Division Chair
UCSF Academic Senate

Re: Systemwide Review of Proposed Revisions to Presidential Policy: UC Health Participation in Activities under the End of Life Option Act

Dear Chair Majumdar:

The Clinical Affairs Committee (CAC) reviewed the proposed revisions to Presidential Policy: UC Health Participation in Activities under the End of Life Option Act (the "Act") that are out for systemwide review.

The proposed revisions do not affect the heart of the policy, which allows UC Health providers to prescribe and dispense Aid in Dying Drugs in accordance with the Act. Provider participation is not required and is strictly voluntary.

The proposed revisions capitalize defined terms and replace "his/her" with "their". The proposed revisions add a section that requires Student Health Centers to ensure and document compliance with the Act. Last, the proposed revisions add a frequently asked question: "How should Health Care Providers who have chosen not to participate in the Act communicate this information to patients who have requested information about the Act?" CAC believes this is a helpful question to add to the policy, and CAC has no objections to the other proposed changes.

Thank you for the opportunity to review the proposed changes and to comment on this important policy.

Sincerely,



Kathleen Liu, M.D., Ph.D., M.A.S.
Clinical Affairs Committee Chair

June 8, 2021

Mary Gauvain
UC Academic Senate Chair

Re: (Systemwide Senate Review) Proposed Presidential Policy on UC Health Participation in Activities under the End of Life Option Act

Dear Chair Gauvain,

After review by appropriate standing committees, the Executive Board of the UCLA Division discussed the (Systemwide Senate Review) Proposed Presidential Policy on UC Health Participation in Activities under the End of Life Option Act at its meeting on June 3, 2021. Members of the Executive Board unanimously endorsed the proposal as written.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane White", is enclosed in a thin black rectangular border.

Shane White
Chair, UCLA Academic Senate

Encl.

Cc: Jody Kreiman, Vice Chair/Chair Elect, UCLA Academic Senate
Michael Meranze, Immediate Past Chair, UCLA Academic Senate
April de Stefano, Executive Director, UCLA Academic Senate

May 27, 2021

Shane White, Chair
Academic Senate

Re: UC Health Participation in Activities under the End of Life Option Act

Dear Chair White,

At its meeting on April 28 2021, the Faculty Welfare Committee discussed the UC Health participation in activities under the End of Life Option Act. Committee members offered the following comments.

Members agreed with the changes to the policy, which they found to be mostly editorial. A majority agreed that not providing end of life services is an important clarification to include in the policy.

If you have any questions, please contact us via the Faculty Welfare Committee's interim analyst, Elizabeth Feller, at efeller@senate.ucla.edu.

Sincerely,

Huiying Li, Chair
Faculty Welfare Committee

cc: Jody Kreiman, Vice Chair/Chair Elect, Academic Senate
Michael Meranze, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Interim Analyst, Faculty Welfare Committee
Members of the Faculty Welfare Committee



University of California Health
1111 Franklin Street
Oakland, CA 94607

health.universityofcalifornia.edu

ACADEMIC HEALTH CENTERS

UC Davis Health
UC Riverside Health
UC San Diego Health
UCI Health
UCLA Health
UCSF Health

HEALTH PROFESSIONAL SCHOOLS

Schools of Dentistry
Schools of Medicine
Schools of Nursing
Schools of Optometry
Schools of Pharmacy
Schools of Public Health
School of Veterinary Medicine

INSTITUTES

Global Health Institute

March 25, 2021

CHANCELLORS
ACADEMIC COUNCIL CHAIR GAUVAIN
LABORATORY DIRECTOR WITHERELL
ANR VICE PRESIDENT HUMISTON

Re: Systemwide Review of Proposed Presidential Policy: UC Health Participation in Activities under the End of Life Option Act

Dear Colleagues:

Enclosed for systemwide review are proposed revisions to Presidential Policy: UC Health Participation in Activities under the End of Life Option Act.

The issuance of the Interim Presidential Policy: UC Health Participation in Activities under the End of Life Option Act in 2016, coincided with the issuance of the End of Life Option Act (California Health and Safety Code §443, et seq., referred to in this policy as the "Option Act") which allows terminally ill adult patients with the mental capacity to make medical decisions to request to be prescribed and self-administer an aid-in-dying drug to end their life if specific conditions are met.

The Option Act establishes specific procedures and requirements to be followed by patients and health care providers who choose to assist them. It also provides that, upon proper notice, a health care provider may "opt out".

UC Health has chosen not to opt out but acknowledges the rights of individual employees to refrain from participating in activities authorized under the Option Act.

It is the policy of the of the University of California to extend to its patients the choices made available through the Option Act and to comply with its terms. The University, however, neither requires nor encourages any individual provider to participate. Participation in activities authorized

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under the Act is **strictly voluntary**. Health care providers employed by UC Health may choose not to prescribe or dispense Aid in Dying Drugs to their patients, not to serve as consulting physicians, not to perform mental health assessments, not to advise patients of their rights under the Option Act, and not to participate in other activities authorized by the Option Act; and individual patients deemed eligible to receive Aid in Dying Drugs must be provided with information about all of their options, inclusive of comfort care, hospice care, palliative care, pain control and other alternatives to administration of Aid in Dying Drugs.

This policy was revised in consultation with UC Chief Medical Officers, UC Chief Nursing Officers and the UC Office of General Council.

Systemwide Review

Systemwide review is a public review distributed to the Chancellors, the Chair of the Academic Council, the Director of the Lawrence Berkeley National Laboratory, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, especially affected employees, about policy proposals. Systemwide review also includes a mandatory, 90-day full Senate review.

Employees should be afforded the opportunity to review and comment on the draft policy. Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals. The Labor Relations Office at the Office of the President is responsible for informing the bargaining units representing union membership about policy proposals.

We would appreciate receiving your comments no later than **June 24, 2021**. Please submit your comments to brandi.schmitt@ucop.edu. If you have any questions, please contact Cathryn Nation at cathryn.nation@ucop.edu or (510) 987- 9705.

Sincerely,

Carrie Byington, MD EVP

Carrie Byington, MD, EVP
University of California Health

Enclosures:

- 1) Presidential Policy UC Health Participation in Activities under the End of Life Option Act (clean copy)

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- 2) Presidential Policy UC Health Participation in Activities under the End of Life Option Act (redline copy)
- 3) Model Communication

cc: President Drake
Provost and Executive Vice President Brown
Executive Vice Chancellors/Provosts
Executive Vice President and Chief Operating Officer Nava
UC Chief Medical Officers
UC Chief Nursing Officers
Senior Vice President Bustamante
Vice President and Vice Provost Gullatt
Interim Vice President Lloyd
Vice President Maldonado
Vice President Nation
Vice Provost Carlson
Vice Provosts/Vice Chancellors of Academic Affairs/Personnel
Deputy General Counsel Nosowsky
Deputy General Counsel Woodall
Associate Vice Provost Lee
Assistant Vice Provosts/Assistant Vice Chancellors/Directors –
Academic Personnel
Executive Director Baxter
Executive Director and Chief of Staff Henderson
Executive Director Schmitt
Executive Director Silas
Chief of Staff and Chief Policy Advisor Kao
Chief of Staff Levintov
Chief of Staff Peterson
Director Grant
Director Sykes
Manager Crosson
Manager Smith
Analyst Durrin
Policy Advisory Committee