

MCLE SELF-STUDY

DOES AN ASSISTED SUICIDE PROVISION BELONG IN AN ESTATE PLAN?

BY: KATHRYN A. SCHOFIELD

MCLE SELF-STUDY TEST

- 1 The End of Life Option Act:
 - a. Sets forth extremely rigorous standards.
 - b. Sets forth standards that are difficult to interpret.
 - c. Sets forth easily achievable standards.
- 2 One of the reasons why a person may choose assisted suicide is:
 - a. They do not wish to suffer a slow and agonizing death.
 - b. They do not want their families to be put through the ordeal of watching them suffer.
 - c. Both of the above.
 - d. Neither of the above.
- 3 Before the End of Life Option Act,
 - a. Estate planning attorneys could include an assisted suicide plan in an Advance Health Care Directive.
 - b. Estate planning attorneys could not discuss assisted suicide with clients at all.
 - c. Estate planning attorneys could only advise that assisted suicide was not legal and could not be included in an estate plan.
- 4 Attorneys have an important role in the EOLA statutory framework.
 True False
- 5 EOLA expressly states that the wish to elect assisted suicide must be included in an Advance Health Care Directive.
 True False
- 6 Which of the following are required by EOLA in order for an election for assisted suicide to be legal:
 - a. The individual's attending physician has diagnosed the individual with a terminal disease;
 - b. The individual has voluntarily expressed the wish to receive a prescription for an aid-in-dying drug;
 - c. The individual is a resident of California;
 - d. The individual documents the request;
 - e. The individual has the physical and mental ability to self-administer the aid-in-dying drug.
 - f. (a), (b) and (d);
 - g. All of the above.
- 7 The individual making the election under EOLA must be an adult.
 True False
- 8 An election under EOLA may be made by a third party only if:
 - a. The individual making the election has documented the election in a notarized document in his/her own handwriting
 - b. A doctor states under penalty of perjury that the individual requested that third party to make the election on his/her behalf
 - c. Neither of the above
- 9 The individual making the election does not have to be able to administer the aid-in-dying drug himself/herself.
 True False

Continued on next page ►

DOES AN ASSISTED SUICIDE PROVISION BELONG IN AN ESTATE PLAN? (PAGE 2)

- 10 The individual making the election must have a terminal disease.
 True False
- 11 The individual may make the election under the statute if a physician certifies that the patient's suffering is debilitating and will not improve.
 True False
- 12 If the individual making the election is not able to write, the individual may elect to have someone else document the election for him/her.
 True False
- 13 The following individuals may request a prescription for an aid-in-dying drug:
a. An agent under a durable power of attorney
b. A conservator
c. A spouse
d. None of the above
- 14 Under EOLA, an attorney can validly document a client's intended EOLA election.
 True False
- 15 A reason to include an EOLA election in an Advance Health Care Directive is:
a. It can help the agent determine what other health care interventions the individual would want;
b. It could lead to a frank conversation between the individual and his/her agent about end of life decisions, and whether the agent could actually make difficult decisions if necessary.
c. The law may change; in which case the written election may be honored in the future.
d. None of the above
e. All of the above
- 16 Currently, adding an EOLA provision into an Advance Health Care Directive
a. Is legally meaningless now
b. Is innocuous
c. Could serve to authorize the agent to act, if at some point in the future the law changes
d. Could invalidate the entire Advance Health Care Directive
e. (a), (b) & (c)
f. None of the above.

HOW TO RECEIVE ONE HOUR OF MCLE CREDIT

Answer the test questions, choosing the one best answer to each question. Mail this Self-Study and your payment (\$30 per credit hour for CCCBA members/\$45 per credit hour for non-members) to CCCBA at the address below. Certificates are dated as the day this form is received. (10181)

Name	State Bar #
Firm Name	
Address	
City, State, Zip	
Phone	Email
<input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> Amex <input type="checkbox"/> Check (payable to CCCBA)	
Cardholder Name	
Card Number	
Expiration Date	
Signature	

CONTRA COSTA COUNTY BAR ASSOCIATION
2300 Clayton Road, Suite 520, Concord, CA 94520

May 2017 CCL - 1 Hour General MCLE Credit