

## VareseNews

### The living will becomes law. It is now possible to refuse treatment

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**It is now possible to decide whether to continue or to stop healthcare.** The living will has been approved by the Senate, and become law.

**In accordance with the Constitution**, when affected by a **disease that makes them unable to decide**, any adult can choose whether or not to undergo treatment, including artificial feeding and hydration. The law was passed definitively, with 180 votes in favour, 71 against, and six abstentions.

#### **What it contains**

Early treatment provisions must be written as a public deed, or as a private agreement authenticated by a notary or other public official, or by a doctor employed by the National Health Service. When the patient's physical condition does not allow this, they can be expressed in a video recording.

**INFORMED CONSENT** – No healthcare can be started or continued without the patient's free and informed consent. Intervention by a psychologist is allowed for when making the choice. The consent can be revoked at any time: the revocation requires the suspension of any ongoing treatment, therapy or artificial hydration/feeding.

**OBJECTION OF CONSCIENCE** – The law allows physicians to refrain from caring for a patient that does not consent. In this case, the hospital must provide other medical personnel who can continue the

relationship with the patient. In any case, the choices of the person undergoing treatment free doctors from any civil or criminal liability.

**TREATMENT FOR PAIN AND PALLIATIVE MEDICINE** – Treatment for pain, or sedation, will be provided if the patient is suffering. These treatments are possible, even when the patient has refused other forms of treatment.

**BAN ON TREATMENTS THAT UNNECESSARILY PROLONG LIFE** – Excessive care when a disease will end with the death of the patient, or when death is imminent, is also regulated.

When a patient's prognosis is one of death in the short term, or imminent death, the physician must not insist unreasonably on providing treatment that is useless or disproportionate.

**CANCELLING PROVISIONS IN THE EVENT OF NEW THERAPIES** – If new potential treatments are identified, it will be possible to change one's mind. If a patient is unable to decide, the doctor must speak to a person of trust of the patient, in order to change any decisions made. It is possible to agree on a treatment plan, in the event of a progressively crippling disease; this plan can be reviewed on the basis of the evolution of the disease and of scientific progress.

**MINORS** – In this case, it is the parents or a legal guardian who decide on the medical treatment. The decision should take into account the will of the minor, if he or she is able to understand and assess the situation.

di Translated by Bianchi, Carnevali & Micheluzzi (Reviewed by Prof. Rolf Cook)