STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Home and Community Living Administration
P.O. Box 45600 • Olympia, Washington 98504

December 18, 2025

HCLA: CCRSS #2025-028
WA STATE DEATH WITH DIGNITY ACT (DWDA) – IMPLEMENTATION BY CERTIFIED COMMUNITY RESIDENTIAL SERVICES AND SUPPORTS (CCRSS) PROVIDERS

Dear Certified Community Residential Services and Supports Provider,

The Washington State Death with Dignity Act (DWDA), chapter 70.245 RCW, was passed by voter initiative on November 4, 2008, and became law on March 5, 2009. As of that date, all eligible, terminally ill WA residents who are seeking to end their lives in a humane and dignified manner have the right to request and ingest lethal doses of medication that can be self-administered as part of their end-of-life care.

Please note: Civil liability, criminal liability, or professional disciplinary action do not result from participation in good faith compliance with the DWDA.

The DWDA recognizes the rights of both clients and healthcare providers. This letter provides regulatory information to ensure compliance under the DWDA. A provider's DWDA policy may directly affect how and where a client exercises their end-of-life rights. Therefore, effective immediately, providers must complete the following steps, in compliance with federal and state laws.

Step One: Level of participation.
Determine whether, and to what extent, the provider will participate in activities authorized by the DWDA.

> **Please Note:** Clients maintain the right to exercise their rights under the DWDA, regardless of the provider's participation. Providers may not prohibit a client from privately and independently self-administering DWDA medication in their own apartment or room.

Step Two: Develop and implement a written DWDA policy.
The provider's DWDA policy must specify the provider's level of participation, if any, in activities authorized under the DWDA, including but not limited to:

- Handling and/or dispensing of DWDA medications; and
- Provider presence or supervision during ingestion of DWDA medication.

Step Three: Notification in writing.
Provide written notice of the provider's level of participation by giving a copy of the provider's DWDA policies and procedures to all staff, independent contractors who provide client care, and all current and prospective clients.

Additional requirements when a client chooses to inform the provider of their choice to participate with the DWDA:

- Providers must ensure compliance with regulatory requirements related to labeling, storing, and recording of medications that are self-administered by clients. This requirement applies equally to medications prescribed under the DWDA.

- When a client chooses to participate with the DWDA and their current portable order for life sustaining treatments contains a request for cardiopulmonary resuscitation (CPR), the client must be provided with the opportunity to update the document to reflect a request that resuscitation not be attempted.

End of Life WA is a nonprofit organization that provides support, resources, and information for individuals and families that choose to participate with the DWDA.

The RCS policy unit will continue to gather and evaluate input from clients, families, facilities, providers, and other interested parties to evaluate the need for future rulemaking.

Please forward questions and/or related input to the RCSpolicy@dshs.wa.gov

Sincerely,

Miriam Mina, Acting Director
Residential Care Services

DSHS: *"Partnering with People"*

Related References:

- RCW 70.129.030 – Notice of rights and services – Admission of individuals,
- RCW 69.41.085 – Medication assistance – Community-based care settings,
- RCW 69.41.010(15) – Definitions,
- WAC 388-101-3230 – Group Homes,
- WAC 388-76-10430 through WAC 388-76-10490 – Medications,
- WAC 388-76-10530 – Resident rights – Notice of rights and services,
- WAC 388-76-10355 – Negotiated care plan,
- WAC 388-78A-2600 – Policies and procedures,
- WAC 388-78A-2710 – Disclosure of services,
- WAC 388-78A-2130 through WAC 388-78A-2160 – Negotiated service agreements,
- WAC 388-78A-2210 through WAC 388-78A-2290 – Medications,
- DPL 024-02-08-1.pdf,
- Death with Dignity Act | Washington State Department of Health,
- Frequently Asked Questions About Death With Dignity | Washington State Department of Health,
- Home - End of Life Washington,
  - End of Life WA DWD Checklist,
  - DWD for Medical Providers,
  - The Protecting Access to Medical Aid-In Dying Act,
  - EOLWA Overview of DWDA.