This emergency rulemaking action by the Department of Veterans Affairs adopts section 509 in title 12 of the California Code of Regulations to provide that employees, independent contractors, and other persons or entities shall not participate in any activities under the End of Life Option Act while on the premises of a Veterans Home or while acting within the course and scope of employment, or contract with, the Veterans Home. Additionally, veteran members who intend to take an aid-in-dying drug in order to end his or her life shall discharge from the Veterans Home prior to receiving and taking the drug.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 6/17/2016 and will expire on 12/15/2016. The Certificate of Compliance for this action is due no later than 12/14/2016.

Date: June 17, 2016

Lindsey S. McNeill
Attorney

For: Debra M. Cornez
Director

Original: Vito Imbasciani
Copy: Todd D. Irby
# EMERGENCY

**NOTICE PUBLICATION REGULATIONS SUBMISSION**

STD. 400 (REV. 01-2013)

For use by Office of Administrative Law (OAL) only

<table>
<thead>
<tr>
<th>OAL FILE NUMBERS</th>
<th>NOTICE FILE NUMBER</th>
<th>REGULATORY ACTION NUMBER</th>
<th>EMERGENCY NUMBER</th>
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<td>Z-</td>
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<td>2016-0608-07E</td>
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**ENDORSSED - FILED**

in the office of the Secretary of State of the State of California

JUN 17 2016

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**A. PUBLICATION OF NOTICE** (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE
   - TITLE(S)
   - FIRST SECTION AFFECTED
   - REQUESTED PUBLICATION DATE

2. NOTICE TYPE
   - Notice re Proposed
   - Regulatory Action
   - Other

3. AGENCY USE
   - ACTION ON PROPOSED NOTICE
   - Approved as Submitted
   - Approved as Modified
   - Disapproved/Withdrawn

4. AGENCY CONTACT PERSON
   - TELEPHONE NUMBER
   - FAX NUMBER (Optional)

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**B. SUBMISSION OF REGULATIONS** (Complete when submitting regulations)

1a. SUBJECT OF REGULATIONS
   - ADOPT
   - AMEND
   - REPEAL

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxic related)

<table>
<thead>
<tr>
<th>SECTION(S) AFFECTED</th>
<th>TITLE(S)</th>
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<tbody>
<tr>
<td>List all section number(s) individually. Attach additional sheet if needed.</td>
<td>12</td>
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</table>

3. TYPE OF FILING
   - Regular Rulemaking (Gov. Code §11346)
   - Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)
   - Emergency (Gov. Code, §11346.1(b))

   | Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11345.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. |
   | Emergency Readopt (Gov. Code, §11346.10(h)) |
   | File & Print |
   | Print Only |
   | Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) |

4. EFFECTIVE DATE OF CHANGES (Gov. Code, §§11346.1, 11346.1(b); Cal. Code Regs., title 1, §100)
   - Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
   - Effective on filing (Cal. Code Regs., title 1, §100)
   - $100 Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
   - Effective other (Specify)

5. REQUIREMENTS FOR SUBMISSION (Gov. Code, §§11347.1-11347.9; Cal. Code Regs., title 1, §100.7)
   - Department of Finance (Form STD. 399) (SAM §6660)
   - State Fire Marshal
   - Other (Specify)

6. CONTACT PERSON
   - TELEPHONE NUMBER
   - FAX NUMBER (Optional)
   - E-MAIL ADDRESS (Optional)

   | TODD D. IRBY | (916) 654-7022 |
   | (916) 653-2454 |
   | TODD.IRBY@CALVET.CA.GOV |

7. SIGNATURE OF AGENCY HEAD OR DESIGNEE
   - DATE
   - JUNE 3, 2016

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**I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.**

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**VITO IMBASCIANI, MD, SECRETARY**

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**ENDORSSED APPROVED**

JUN 17 2016

Office of Administrative Law
509. End of Life Option Act

(a) All terminally ill members shall receive appropriate and necessary medical care, including counseling, hospice, and palliative care, as appropriate and desired.

(b) The Veterans Home shall not provide aid-in-dying drugs, as defined in California Health and Safety Code section 443.1, subdivision (b). Employees, independent contractors, or other persons or entities, including health care providers, shall not participate in any activities under the End of Life Option Act, California Health and Safety Code sections 443-443.22, while on the premises of the Veterans Home, or while acting within the course and scope of any employment by, or contract with, the Veterans Home.

(c) If a member intends to take an aid-in-dying drug to end his or her life, prior to receiving and taking the drug, the member shall discharge from the Veterans Home.

(d) The Veterans Home shall re-admit a member if the member discharges pursuant to this section, elects not to take the aid-in-dying drug, and elects to return to the Veterans Home.