The euthanasia law in the Netherlands

Data sources and empirical studies in the Netherlands

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In the coming 12 minutes

Oversight of the way empirical data are collected in order to inform policy on euthanasia and physician-assisted suicide

With focus on:

- The different sources / methods
- Some examples of which information they bring
- How it is used in policy

First briefly:

The law on euthanasia and physician-assisted suicide
Euthanasia and physician-assisted suicide

- **Euthanasia**: a physician administers drugs with the intention to end the patient’s life on the explicit request of the patient.

- **Physician-assisted suicide**: similar to euthanasia but the physician provides the drugs and the patient takes them.

**Difference with physician-assisted dying in the U.S.**:

- The physician is supposed to be present.

- The physician should be prepared to perform euthanasia in case of complications.
Current euthanasia law - procedure -

- All cases have to be reported
- Reporting to euthanasia review committee
  - Lawyer, physician, ethicist -
- Verdict on basis of ‘criteria for due care’
- Verdict ‘non compliant’ → to public prosecutor
Criteria for due care:

- The patient has made a voluntary and well-considered request to die;
- The patient is suffering hopeless and unbearable;
- The physician has informed the patient about his/her situation and prospects;
- There is no other reasonable solution;
- Consultation of an independent doctor;
- Administration with due medical care.
Some essentials

- Force majeure of physician
- Suffering is subjective
- Both psychological and physical suffering
- Patient does not have to be terminally ill
- Suffering stems from a medical (psychiatric or somatic) illness; includes:
  - Combination of complaints related to old age
Yearly source of information

The annual reports of the review committees

It provides insight in:
- Characteristics of all reported cases
- Case descriptions of relevant cases

But not in:
- Unreported cases
- All requests / refused requests
- More than basic descriptives
- Context of end-of-life decision making

→ Evaluation studies
## Developments in euthanasia policy related to empirical research

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>1985</td>
<td>Report State committee on euthanasia</td>
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<tr>
<td>1990</td>
<td>1(^{st}) national study on euthanasia</td>
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<tr>
<td>1993</td>
<td>Notification procedure euthanasia (through District Attorney)</td>
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<tr>
<td>1995</td>
<td>2(^{nd}) national study</td>
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<tr>
<td>1998</td>
<td>Euthanasia review committees</td>
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<tr>
<td>2001</td>
<td>3(^{rd}) national study, (European study in 6 countries)</td>
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<tr>
<td>2002</td>
<td>Euthanasia law</td>
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<td>2005</td>
<td>4(^{th}) national study, 1(^{st}) evaluation of the law</td>
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<tr>
<td>2010</td>
<td>5(^{th}) national study, 2(^{nd}) evaluation of the law</td>
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<tr>
<td>2015</td>
<td>6(^{th}) national study, 3(^{rd}) evaluation of the law</td>
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Methods

Nationwide study every 5 years:


- Death-certificate study

  *Stratified sample of approximately 6000 deaths; questionnaire to attending physician (75%-78% response)*

  Neutral questions to assess incidences

- Interviews / survey with sample of physicians

  *Experiences and opinions of physicians*

- Judicial evaluation

- Other substudies relevant to debate at that time

  E.g. in 2015 on requests from psychiatric patients
25 years end-of-life decision-making

Frequency of euthanasia, physician-assisted suicide and other end-of-life decisions in the Netherlands, 1990 - 2015

Source: van der Heide, van Delden, Onwuteaka-Philipsen, NEJM 2017
Number of cases of euthanasia and physician-assisted suicide (reported and total; %=notification rate)

Source: Onwuteaka-Philipsen, Legemaate, van der Heide et al, Report on third evaluation of the euthanasia law, 2017.[in Dutch]
% of deaths preceded by a request for euthanasia or physician-assisted suicide (PAS)

Source: van der Heide, van Delden, Onwuteaka-Philipsen, NEJM 2017
Requests that did / did not lead to euthanasia or PAS (% of all requests)

Source: van der Heide, van Delden, Onwuteaka-Philipsen, NEJM 2017
Incidence of euthanasia increased somewhat in older people.

The estimated shortening of life increased somewhat (but rarely more than half a year).

Most patients still have cancer or other serious somatic disease.

There is an increase in debate about euthanasia in patients with dementia, a psychiatric illness, or completed living.
Source: reported cases (abs numbers)

Psychiatric diagnosis

Note: total number of reported cases from 2,331 in 2008 to 6,019 in 2016
Source: physician survey

Source of suffering in explicit euthanasia requests and euthanasia cases in 2016

- Request: 67% Cancer, 21% Other somatic illness, 24% Psychiatric illness, 6% Dementia
- Euthanasia: 78% Cancer, 20% Other somatic illness, 1% Psychiatric illness, 0.6% Dementia
Source: survey psychiatrists

estimates for the Netherlands of requests and granted requests from psychiatric patients
Redenen waarom psychiaters verzoeken weigerden (2016, n=66)

- 75% Due care criteria not met
- 25% Personal objections
- 23% Never perform PAD
- 2% Objections of family
75% refused requests because the due care criteria were not met:

- Treatment alternatives not exhausted: 53%
- Suffering not unbearable and lasting: 25%
- Request not voluntary and well-considered: 12%
- Other: 6%
- Not specified: 4%
Public: Should euthanasia be allowed?
Physicians: is it conceivable that you would ever grant a request?

Conclusions

• Government values evaluation and public control
  – Review of cases
  – Year reports
  – Large scale evaluation every 5 years

• Insight in practice from many angles, e.g. in psychiatric cases
  – Much debated
  – Increase in cases; still very small group
  – Reluctance in psychiatrists and `other physicians related to due care criteria

• There are still research questions left, e.g. on patient and relatives experiences or normalization.
Questions?

Sources:

Annual reports euthanasia review committees.
https://english.euthanasiecommissie.nl/the-committees/annual-reports

Onwuteaka-Philipsen, Legemaate, van der Heide et al, Report on third evaluation of the euthanasia law, 2017.[in Dutch, English summary]

van der Heide, van Delden, Onwuteaka-Philipsen, NEJM 2017