Redrafted Bill on Passive Euthanasia

Why in news?

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- The redrafted bill on euthanasia is released as the 'Management of Patients with Terminal Illness - Withdrawal of Medical Life Support Bill'.
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- Click here to know more.
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How did the legislation evolve?

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- Passive Euthanasia is the withdrawal of medical treatment and life support of a terminally-ill patient to facilitate (natural) death.
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- The Supreme Court had recognised passive euthanasia for the first time in the 2011 in Aruna Shanbaug case.
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- Accordingly, withdrawal of life-sustaining treatment from patients not in a position to make an informed decision (incompetent case) is permitted.
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- The SC further laid down comprehensive guidelines on passive euthanasia, which was to be followed until a law was enacted in this regard.
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- Subsequently, government drafted the Medical Treatment of Terminally Ill Patients [Protection of Patients and Medical Practitioners]) Bill earlier in the year.
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- But, given some concerns regarding the possible misuse of its provisions, the SC suggested adequate changes to ensure proper safeguards.
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- It even recommended a proper medical board examination of all cases of euthanasia.
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What does the new bill provide for?

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- **Approval Procedure -** Hospitals have to set up approval committees for considering cases of passive euthanasia.
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- These panels will decide on applications of “Living will” which is a written document by a “competent” terminally ill patient.
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- This will allow them to explicitly state their desire against life-prolonging measures when recovery is not possible.
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- For incompetent terminally ill patients, unanimous consent of near relatives has been suggested to apply for withdrawal of medical treatment.
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- **Other Provisions –** Any distortion of facts before such panels may lead to a maximum of 10 years in jail and a fine of up to Rs 1 crore.
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- The draft provides for pain reducing medication (palliative care) even after passive euthanasia is approved.
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- It clearly stated that it did not encourage active euthanasia which is the acceleration of death by using lethal means.
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- The bill also provides for the protection of medical practitioners and care givers, by absolving them of guilt in acts of passive euthanasia.
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Source: The Hindu, Hindustan Times

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