

What Nurses Need to Know About Medical Aid in Dying, Delaware's New End-of-Life Care Option

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In May 2025, Delaware Governor Matthew Meyer signed House Bill 140, the Ron Silverio/Heather Block End-of-Life Options Act, into law, authorizing the option of medical aid in dying for terminally ill adults in their last six months or less of life. The new law will take effect by January 1, 2026. All nurses are encouraged to read the new law by going to legis.delaware.gov/BillDetail?LegislationId=141725.

Nurses play a vital role in end-of-life care and the option of medical aid in dying (MAID), an end-of-life option that provides dying people with peace of mind and comfort during a difficult time. Nurses also possess a multitude of perspectives and opinions related to the process of MAID. Researchers have found that the majority of nurses “support MAID in the context of their professional role” (Moore, 2022). It is recommended that nurses develop knowledge and understanding of MAID “so they can advocate for those requesting this option; ensure equitable access; and provide them with guidance, support, and resources” (Roy, 2022).

To be eligible for the option of MAID in Delaware, and in all other U.S. jurisdictions where it is authorized, an individual must be an adult with a terminal condition and a prognosis of six months or less who is capable of making their own healthcare decisions. The multi-step request process requires two licensed healthcare providers

(MD, DO or APRN) who must confirm the individual meets all eligibility criteria. An individual is not eligible for MAID based on age or disability alone.

The individual must also be a resident of Delaware, acting voluntarily, and capable of self-ingesting their aid-in-dying medication. An eligible individual must then complete a multi-step process to request the option, throughout which the patient is required to retain decision-making capacity.

The attending provider must inform the requesting individual about all of their end-of-life care options, including hospice, comfort care, palliative care, and pain and symptom management. Any healthcare provider can opt out of participating in MAID and can refer care to another provider if they do not wish to play a role in the patient's request process.

If either the attending or consulting healthcare provider has concerns about the individual's mental capacity or ability to make an informed decision, they must make a referral to a mental health professional for an additional assessment. Medication cannot be prescribed unless the requesting individual's mental capacity is affirmed.

The American Nurses Association has provided guidance for the nurse's role in the practice of medical aid in dying and provided recommendations that include nurses:

- Remain objective when discussing end-of-life options with patients who are exploring medical aid in dying
- Have an ethical duty to be knowledgeable about medical aid in dying laws and how they affect practice
- Be aware of personal values related to

medical aid in dying and how that may inform one's ability to provide objective information in response to a patient's request

- Advocate for optimized palliative care and hospice services (ANA, 2019)

The American Nurses Association position statement also notes that, “Nurses are ethically prohibited from administering medical aid in dying medication. Yet they must be comfortable supporting patients with end-of-life conversations, assessing the context of a medical aid in dying request (e.g., concern about treatable depression or coercion), advocating optimized palliative and hospice care services, and knowing about aid in dying laws and how those affect practice” (ANA, 2019).

Compassion & Choices (compassionandchoices.org) is a national nonprofit organization that has nearly 30 years of experience in both passing medical aid-in-dying laws and supporting communities where MAID is authorized (11 states and Washington, D.C.). As clinicians and healthcare organizations begin to consider how they will support the option of MAID, we are happy to share just a few of the resources they offer:

- Status of Medical Aid in Dying in Delaware. compassionandchoices.org/in-your-state/delaware/
- Fact sheet with key information about the Ron Silverio/Heather Block Delaware End-of-Life Options Act. compassionandchoices.org/wp-content/uploads/2025/05/final-de-access-info-sheet-5-13-25.pdf
- Informational packet designed for patients and lay people to help understand the law in Delaware and the process for access-

ing MAID. [compassionandchoices.org/wp-content/uploads/2025/05/delaware-state-packet-implementation-final-1.pdf](https://www.compassionandchoices.org/wp-content/uploads/2025/05/delaware-state-packet-implementation-final-1.pdf)

- End-of-Life Consultation is available to help answer end-of-life questions from both patients and providers. [compassionandchoices.org/eolc/contact/](https://www.compassionandchoices.org/eolc/contact/)

At the Delaware Nurses Association and Compassion & Choices, we could not have been more grateful for this historic moment, following more than a decade of advocacy in partnership with several of Delaware's healthcare professional organizations. The collective impact of these partnerships cannot be overstated.

In particular, Compassion & Choices recognizes the Delaware Nurses Association, Delaware Coalition of Nurse Practitioners, and the Delaware Psychological Association for their vocal support of HB140. Compassion & Choices thanks DNA's Immediate Past President, Dr. Stephanie McClellan, DNP, MBA, RN, CMSRN, NE-BC, and Executive Director, Christopher Otto, MSN, RN, CCRN, for their vital partnership over the

years, empowering a staggering number of nurses to engage with their lawmakers for support on HB140 and leading it all the way across the finish line.

As Dr. McClellan so eloquently put it: "Advocacy is one of the most powerful ways for nurses to stand up for patients, our communities, and our profession. Having a united voice allowed us to create

positive movement on powerful legislation. We will continue to stand together and speak up for the advancement of nursing and healthcare across Delaware." ■

References online:
myamericannurse.com/?p=422302

Medical aid in dying is now an authorized end-of-life option in Delaware.

Medical aid in dying allows a person with a terminal prognosis to die peacefully. Do you have the information you need to discuss this option with your patients?

To find more information and connect with experts, scan the QR code or visit CandC.link/de-access

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