

# Organ and Tissue Donation after Voluntary Assisted Dying (VAD)

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Past, Present & Future  
directions of palliative care



# Today...

- VAD in Australia - Victoria
- VAD and Donation around the world
- VAD, Donation and the Law in Victoria
- What it might mean when Donation and VAD connect
- Marlene's story

# Donation in the Palliative Care setting

# What can people donate?

## Solid Organs

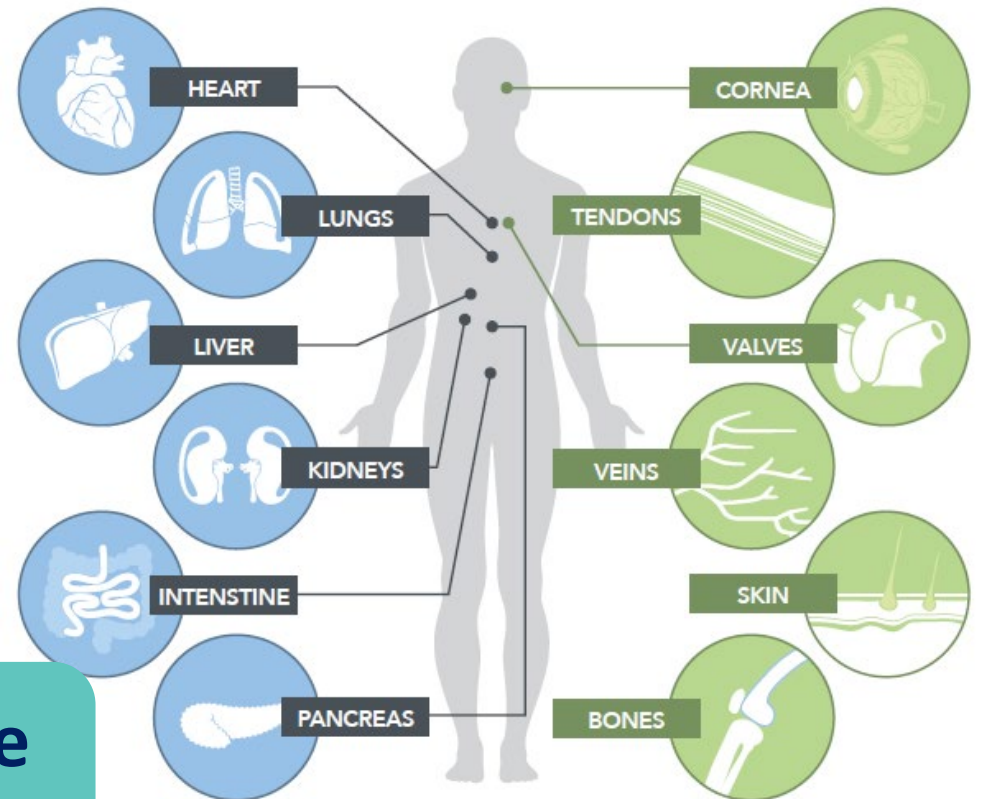
- Intubated and Ventilated in ICU/ED
- Died or dying of a sudden illness or event
  - Fit and healthy otherwise
- Exclusions, suitability and feasibility

## Eye and Tissue

- Don't need to be intubated
- Can donate up to 24 hours after death
- Exclusions, suitability and feasibility

**What does this mean in the Palliative Care setting?**

## LIFESAVING & HEALING ORGANS & TISSUES



## Solid Organs

- Not typically Palliative Care patients
- Not intubated
- Past Medical History/Cause of Death
  - Risk Factors
  - Age
- Organ Donation after VAD

- Cancer
- Infection
- Transmittable Diseases
- Lifestyle and Behaviour

## Eye and Tissue

- More likely for Palliative Care patients
- Past Medical History/Cause of Death
  - Risk Factors
  - Age
- Geographical Location

- Blood
- Cancer
- Infection
- Transmittable Diseases
- Lifestyle and Behaviour

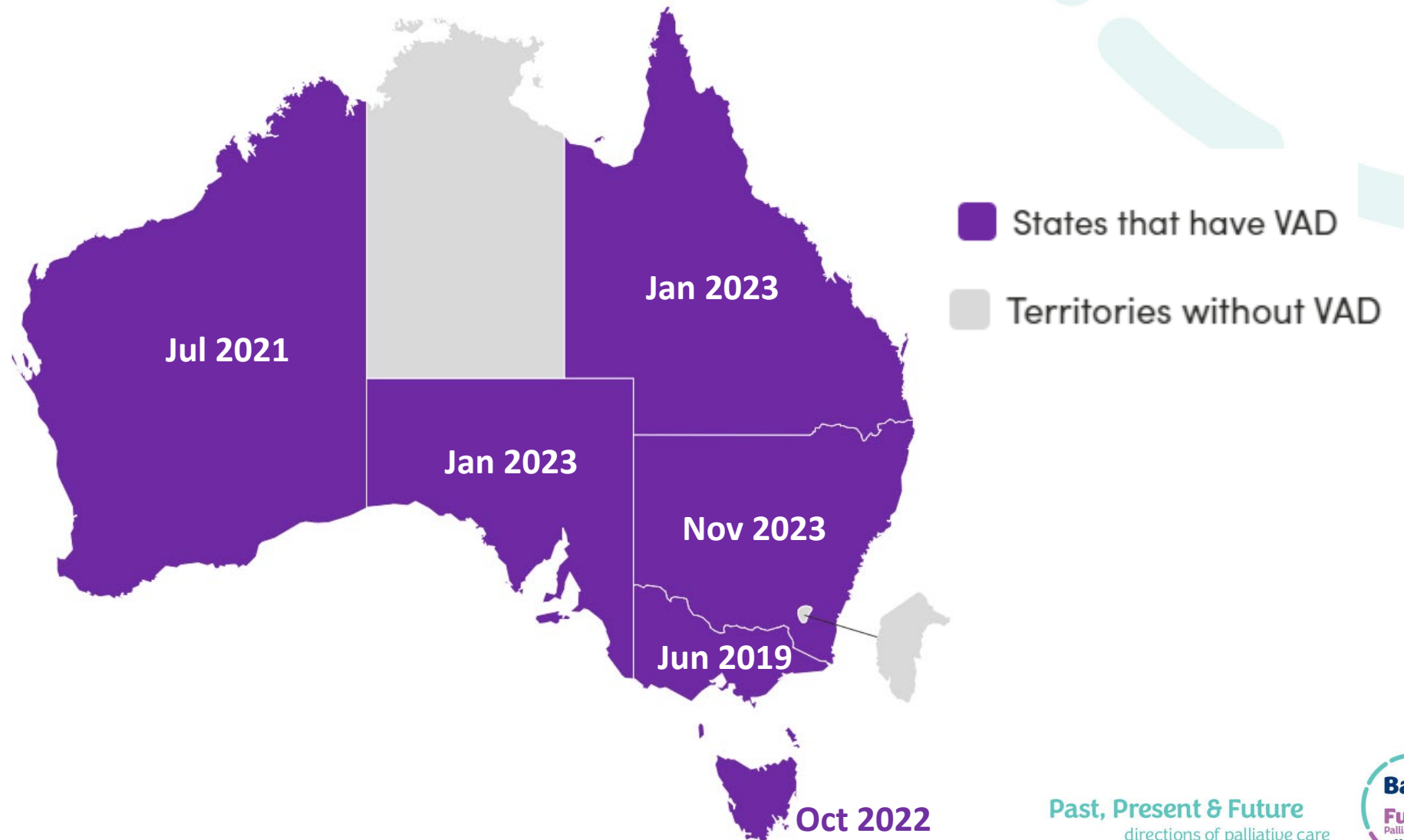
# Key points...

- Palliative care does not preclude donation
- Donation is an important end of life choice everyone deserves to make
- Geographical location does unfortunately factor in
- People with primary brain tumors can become solid organ donors
- COVID is no longer an absolute exclusion for eye and tissue donation
- Please call and discuss before giving a response

**1300 DLV VIC**  
1300 358 842

# Organ and Tissue Donation after VAD

# VAD in Australia





# VAD in Victoria

Authorised Version No. 005  
Voluntary Assisted Dying Act 2017  
No. 61 of 2017

<https://www.legislation.vic.gov.au/in-force/acts/voluntary-assisted-dying-act-2017/005>

- **VAD is the administration of a medication for the purpose of causing death in accordance with the steps and process set out in the law**
- Only those who are dying from an **incurable, advanced and progressive disease, illness or medical condition** can access VAD
- VAD must be **voluntary and initiated by the person themselves**
- **Self-administration** of oral medication (occurring in most instances) or **Practitioner-administration** of intravenous medications (only possible in instances where the person is physically unable to administer the oral medication themselves)
- To enact at a time of their choosing

# VAD in Victoria

## Eligibility:

- Assessed by **two suitably trained** medical practitioners who determine death is expected within **six months**, with the exception for a person suffering from a **neurodegenerative condition**, where death is expected within **12 months**
- Experiencing **suffering that cannot be relieved in a manner the person themselves considers tolerable**
- **Over the age of 18**
- Lived in **Victoria for at least 12 months**
- Have **decision-making capacity**

# VAD, Donation and the Law

**Authorised Version No. 005**  
**Voluntary Assisted Dying Act 2017**  
 No. 61 of 2017  
 Authorised Version incorporating amendments as at  
 19 June 2021

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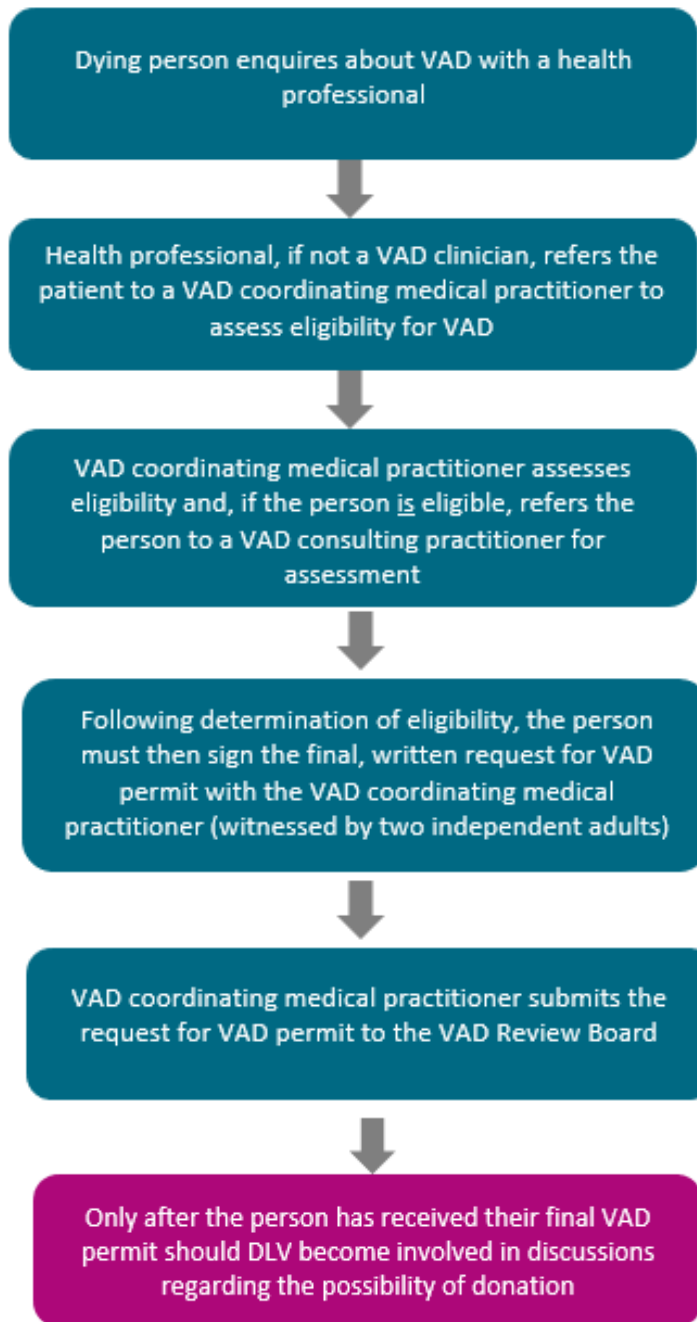
**Authorised Version No. 045**  
**Human Tissue Act 1982**  
 No. 9860 of 1982  
 Authorised Version incorporating amendments as at  
 9 December 2020

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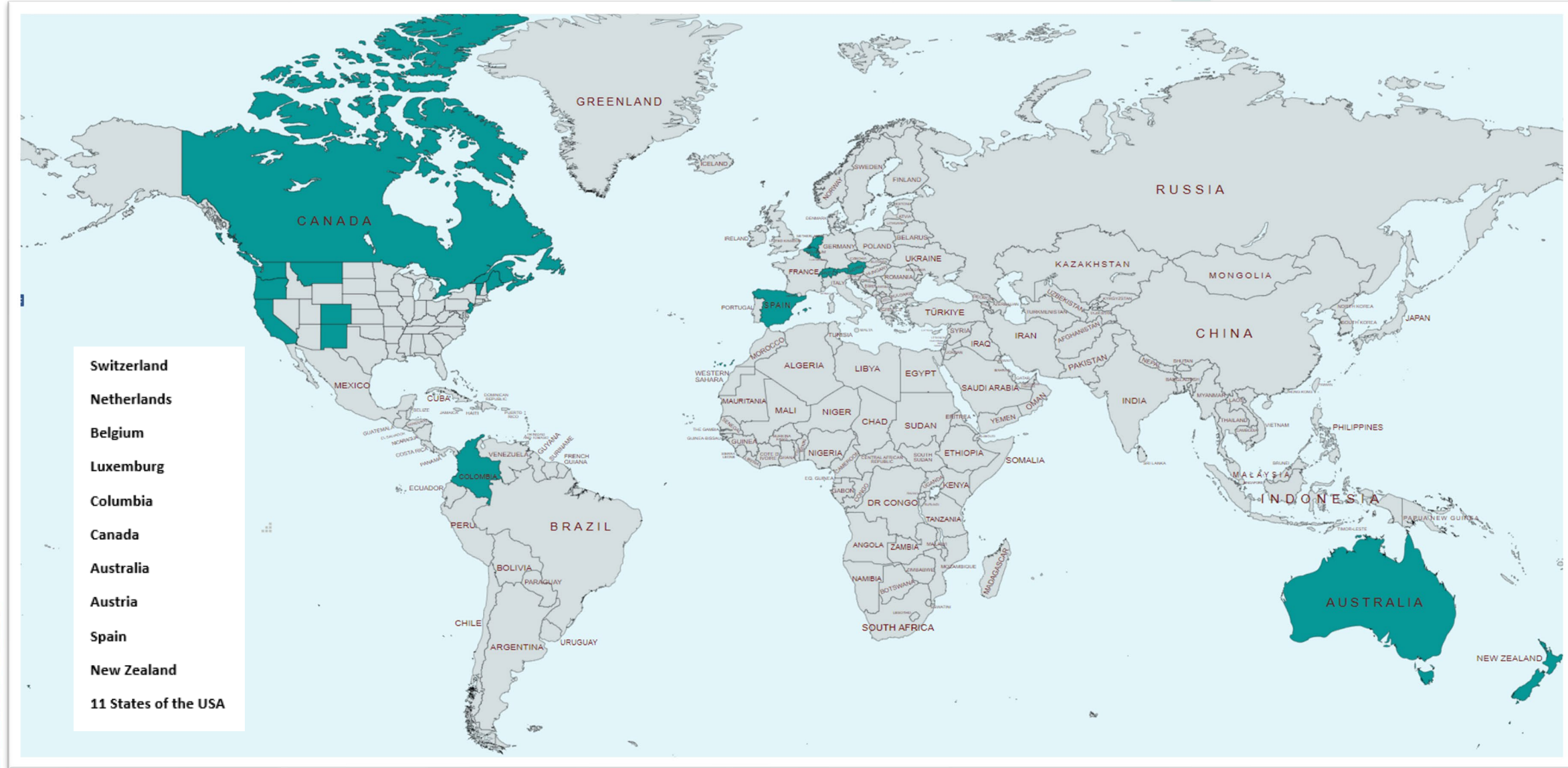
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## Human Tissue Act 1982:

- death must be lawfully declared prior to the removal of organs;
- and
- consent or authorisation for donation be lawfully obtained

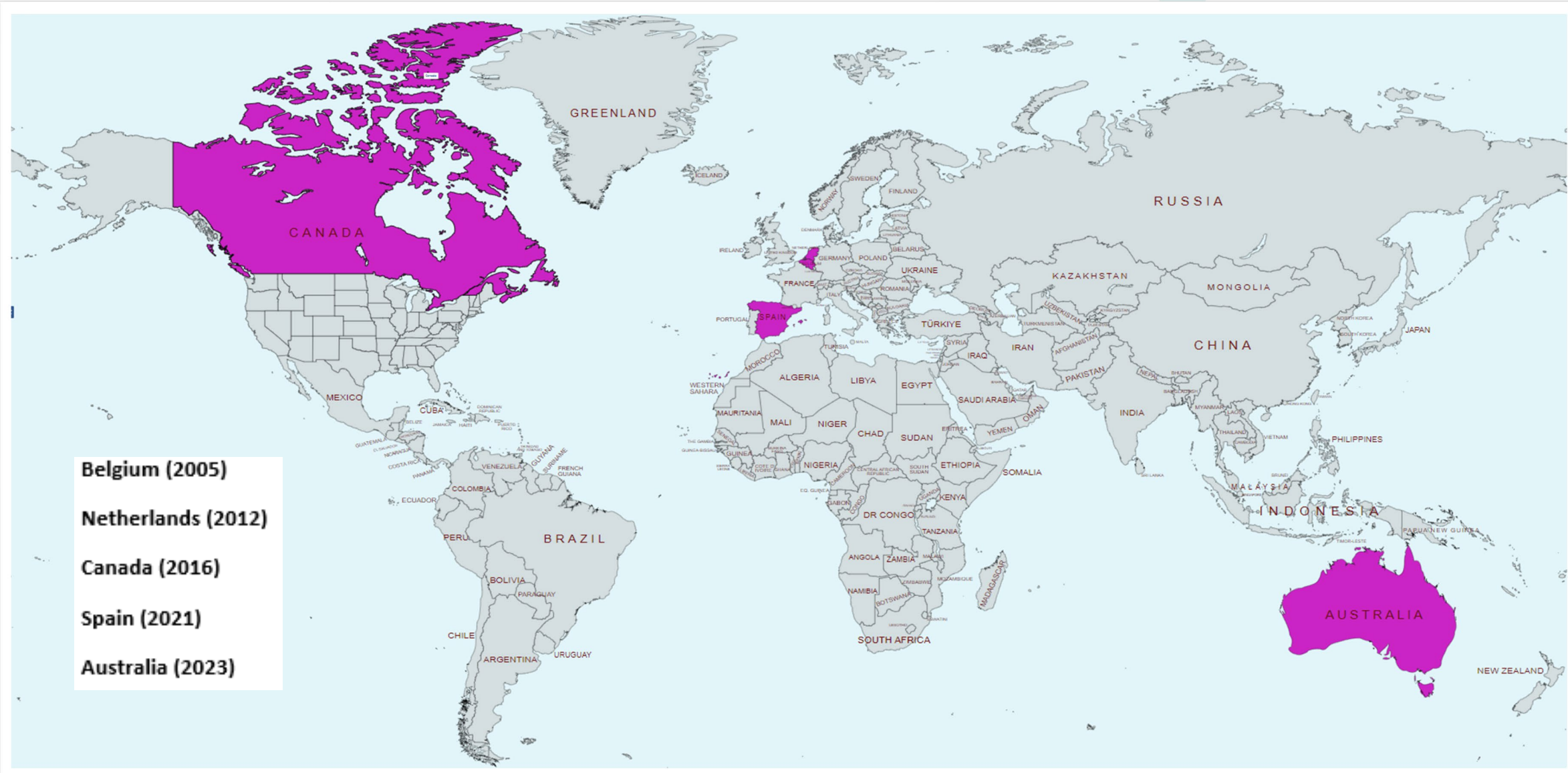


# VAD around the world





# Organ Donation and VAD around the world





How



Many?

## Annual report

July 2022 to June 2023

Table 6: Life limiting conditions of applicants 19 June 2019 – 30 June 2023 (n=2096)

| Life limiting condition                  | Number      | %          |
|--|-------------|------------|
| <b>Cancer</b>                            | <b>1574</b> | <b>76%</b> |
| Lung malignancy                          | 304         | 15%        |
| Colorectal malignancy                    | 174         | 8%         |
| Other gastrointestinal tract malignancy* | 169         | 8%         |
| Pancreas malignancy                      | 138         | 7%         |
| Breast malignancy                        | 133         | 6%         |
| Prostate malignancy                      | 122         | 6%         |
| Gynaecological malignancy                | 97          | 5%         |
| Central nervous system malignancy        | 71          | 3%         |
| Haematological malignancy                | 70          | 3%         |
| Other urological malignancy              | 64          | 3%         |
| Head and neck malignancy                 | 55          | 3%         |
| Skin malignancy                          | 55          | 3%         |
| Other primary malignancy                 | 44          | 2%         |
| Bone and soft tissue malignancy          | 44          | 2%         |
| Unknown primary malignancy               | 18          | 1%         |
| Malignant - not further defined          | 13          | 1%         |
| <b>Neurological</b>                      | <b>196</b>  | <b>9%</b>  |
| Motor Neurone Disease                    | 147         | 7%         |
| Other neurological disease               | 49          | 2%         |
| <b>Respiratory</b>                       | <b>72</b>   | <b>3%</b>  |
| <b>Other**</b>                           | <b>112</b>  | <b>5%</b>  |
| <b>Not yet assigned#</b>                 | <b>142</b>  | <b>7%</b>  |



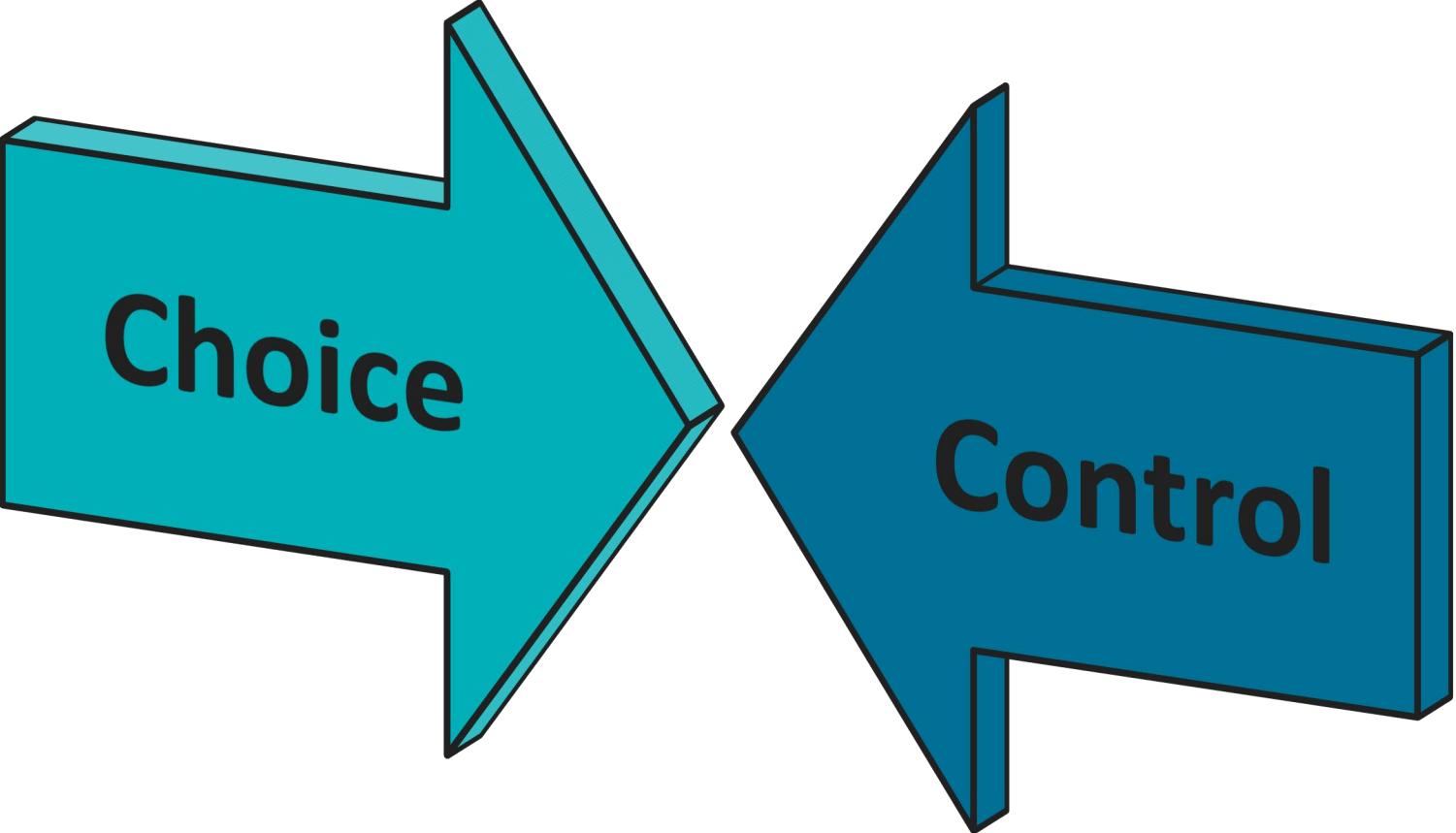
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| Colorectal malignancy                    | 304         | 15%        |
| Cervical malignancy                      | 174         | 8%         |
| Other gastrointestinal malignancy*       | 169         | 8%         |
| Pancreatic malignancy                    | 138         | 7%         |
| Prostate malignancy                      | 133         | 6%         |
| Pulmonary malignancy                     | 122         | 6%         |
| Gynaecological malignancy                | 97          | 5%         |
| <b>Central nervous system malignancy</b> | 71          | 3%         |
| Haematological malignancy                | 70          | 3%         |
| Soft tissue malignancy                   | 64          | 3%         |
| Head and neck malignancy                 | 55          | 3%         |
| Skin malignancy                          | 55          | 3%         |
| Other                                    | 44          | 2%         |
| Soft tissue malignancy                   | 44          | 2%         |
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| <b>Not yet assigned#</b>                 | <b>142</b>  | <b>7%</b>  |

+10%



**Choice**

**Control**

# Marlene...

- 66-year-old female
- Widowed, ex-nurse
- Previously fit and well, minimal past medical history
- Diagnosed with bulbar MND in late 2022
- Wheelie frame or Wheelchair
- Dysphasic
- Nighttime CPAP
- Difficulties swallowing with associated significant weight loss



# Marlene...



- First enquired about VAD in January 2023
- Eligible for and granted **practitioner - administered** VAD permit
- Voiced her wish to become an organ donor after VAD with treating neurologist
- Contact by VAD co-ordinating practitioner with referral
- As requested by Marlene and her son, phone call - requesting to meet next day

# Meeting Marlene...

- Visited Marlene in her home with family present
- General conversation regarding donation
  - need to die in hospital
  - undergo testing for organ suitability
- **Very** committed to VAD, **Very** committed to donation – *“Just get it done”*
- Date for VAD decided
- Formal consent



Transplantation in to the body of a living person  
 Therapeutic, medical or scientific purposes (research)

|   | Consent | Decline |  | Consent | Decline |
|---|---------|---------|--|---------|---------|
| Heart / Cardiovascular Tissue           | ✓       |         | Bone   | ✓       |         |
| Lungs                                   | ✓       |         | Tendons                                      | ✓       |         |
| Liver                                   | ✓       |         | Whole Eyes                                   | ✓       |         |
| Stomach / Intestines / Abdominal Tissue | ✓       |         | Corneas                                      | ✓       |         |
| Pancreas (including Islets)             | ✓       |         | Blood vessels / Blood / Spleen / Lymph Nodes | ✓       |         |
| Kidneys / Adrenal Glands                | ✓       |         | Vessel Grafts (for separate recipient)       | ✓       |         |
| Skin                                    | ✓       |         |  |         |         |



**Key  
Stakeholders**



**Transplant  
Units**



**Pre-Donation  
Testing**



**Marlene and  
her Family**



# Day of VAD and Donation



- Early morning final check-in
- Marlene and her family arrived
- Settled in
- Family time
- 11:35hrs - VAD substance administration began
- 11:41hrs - Loss of palpable pulse
- 11:42hrs - Loss of electrical activity
- 11:47hrs - Declaration of Death
- Transfer to Operating Suite

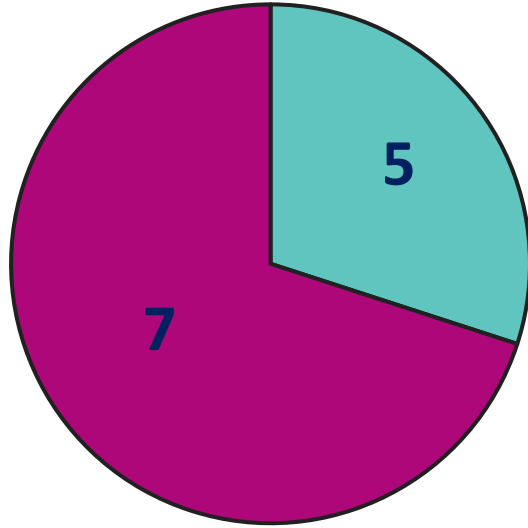


# Outcomes...

- Lungs
- Liver
- Kidneys
- Vessel – Vein
  
- Bone marrow, gut, lymph nodes, skin, spleen, thymus
  
- Whole eyes



# Donation after VAD cases in Victoria



**Aged 37 - 83 years**



**MND**  
n=6

**Parkinson's or similar**  
n=2

**Primary Brain Tumour**  
n=1

**Oesoph. Cancer**  
n=1

**End stage COPD**  
n=1

**Other**  
n=1

# Outcomes...

**2 cases  
outstanding**

**1 died without  
VAD**

**2 NMS due to  
age and  
history**

(Parkinson's and  
Oesophageal Ca)

**2 declined**

**4 Actual  
Donors  
(MND)**

**1 Intended  
Donor**

**- 16 Organ Transplant Recipients  
- Countless research contributions  
to multiple programs including  
MND**

**4 eye donors = 8 people restored  
sight**



000 NEWS

# MARLENE'S LEGACY

ORGAN DONATION

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Past, Present & Future  
directions of palliative care



Thank you

- Mulder, J., Sonneveld, H., Van Raemdonck, D., Downar, J., Wiebe, K., Domínguez-Gil B et al. (2022). Practice and challenges for organ donation after medical assistance in dying: a scoping review including the results of the first international roundtable in 2021. *American Journal of Transplantation*, 22 (12), 2759-80. <https://doi.org/10.1111/ajt.17198>
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