Translated from ***Rev Prescrire*** **July-August 2005; 25 (263): 543**

Euthanasia: a "kit" sold in Belgian pharmacies

● **In France, legislation adopted in 2005 recognises the right of dying patients to refuse further treatment, and the right of physicians to ease their suffering with treatments that, due to adverse effects, may shorten their life. Measures deliberately aimed at hastening death are forbidden.**

● **In Belgium, medical euthanasia was decriminalised in 2002, and can now be carried out either in hospital or at home. Nearly 20 cases of euthanasia are reported per month in Belgium.**

● **A Belgian pharmacy chain now markets a "euthanasia kit".**

In France, legislation on patients' rights, adopted on 22 April 2005, stipulates that (our translation): "*when a person at an advanced stage or in the terminal phase of a severe and incurable health disorder, whatever the cause, decides to restrict or stop all treatment, the physician must respect this choice, after informing the patient of the likely consequences." "If the physician finds that the patient's suffering can only be alleviated (…) by the use of treatments that may shorten his or her life, he or she must inform the patient". When treatments "appear pointless or disproportionate, or simply keep the patients alive artificially, they may be suspended or withheld*" (1).

French law thus recognises that dying patients have the right to refuse to be treated, and that physicians have the right to ease their patients' suffering with treatments that may shorten their life. Treatments explicitly intended to hasten death remain forbidden.

Belgium decriminalised medical euthanasia in 2002. The legal framework specifies how the decision should be made, how euthanasia should be carried out (in hospital or at home), as well as the epidemiological and legal implications (2, 3). In practice, the physician must know the person who wishes to die, must ensure that the choice was freely made, and must confirm the severity of the disorder and its incurable and unbearable nature. The physician must register the request, but is not personally obliged to carry out the procedure (2,3). A single physician cannot judge the patient's health status alone; he or she must request the opinion of another independent physician, and must discuss the case with the nursing team (and, at the patient's request, with the family).

There is no need to be Belgian or to reside in Belgium in order to be eligible for euthanasia in this country.

Nearly 20 reports of euthanasia per month in Belgium. Between September 2002 and 31 December 2003, 259 cases of medical euthanasia were reported to the Belgian authorities. The procedure was carried out at home in 41% of cases (**a**)(4). In most cases (91%) it involved intravenous injection of thiopental (81.5%) or midazolam (10%), either alone or followed by curare (and, in these latter cases, by potassium chloride injection, in 7 cases) (4). Parenteral morphine was used in seven cases, alone or in combination with other drugs (4); an oral barbiturate was given either alone (5 cases) or followed by intravenous curare (1 case); and intravenous injection of thiopental (or a similar drug), was administered, followed by potassium chloride injection, without curare, in 5 cases (4). The review does not mention the drugs used in 4 cases.

In Belgium, physicians performing euthanasia at the patient's home have to obtain the necessary drugs from a community pharmacy. According to the Belgian authorities, community pharmacists sometimes find it difficult to obtain these drugs (intended for hospital use) from wholesalers, even though the relevant legislation states that they should be available within 24 hours (4,5).

The review also recommends that measures be taken to make it easier to obtain the drugs needed for euthanasia at home (4).

A ready-to-use kit. In April 2005, a Belgian pharmacy chain started to sell a "euthanasia kit" (6).

The kit contains materials for infusion and injection, three injectable drugs (midazolam 50 mg/10 ml, thiopental 1 g and vecuronium 10 mg), and instructions for use. The price is about 45 euros.

Although it is a logical consequence of the new legislation, the availability of this kit raises many questions, such as: whether the drug packaging is suitable for euthanasia; what happens to any drugs that are not used; and what the respective roles of physicians and pharmacists should be. Draft legislation drawn up in 2004 on the role of pharmacists and on the use and availability of drugs for euthanasia was adopted by the Belgian Senate in May 2005 (7). The Belgian Minister of Welfare and Public Health has announced that a task force has been commissioned to report on the situation and to make recommendations (5).

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a- In Belgium, a federal commission is charged with verifying that reported cases of euthanasia are carried out under appropriate conditions, using recommended procedures; cases that do not meet these conditions must be referred to the legal authorities; and a report must be furnished to the Belgian Parliament every two years (ref 2).

Selected references from Prescrire's literature search.

1- "Loi n° 2005-370 du 22 avril 2005 relative aux droits des malades et à la fin de vie" *Journal Officiel* 23 April 2005: 7089-7090.

2- "Loi du 28 mai 2002 relative à l'euthanasie" *Moniteur belge* 22 June 2002. Website http://www.justice.fgov.be consulted on 21 May 2005.

3- "La loi dépénalisant l'euthanasie" Mutualités Socialistes, Bruxelles 2004: 36 pages. Presented in *Rev Prescrire* 2004; **24** (255): 789.

4- Commission fédérale de contrôle et d'évaluation de l'euthanasie "Premier rapport aux chambres législatives (22 septembre 2002 - 31 décembre 2003)" 29 October 2004: 39 pages. Website http://www.lachambre.be searched on 2 May 2005.

5- Sénat de Belgique "Questions orales au ministre des Affaires sociales et de la Santé publique sur les "kits euthanasie" (nº 3-662 and n° 3-667)" 21 April 2005. Website http://www.senate.be searched on 4 May 2005.

6- "Des kits euthanasie disponibles dans 250 pharmacies belges" *Le Moniteur des Pharmaciens* 23 April 2005: 14.

7- "Proposition de loi complétant la loi du 28 mai 2002 relative à l'euthanasie par des dispositions concernant le rôle du pharmacien et l'utilisation et la disponibilité des substances euthanasiantes" 1 July 2004. Website http://www.senate.be searched on 20 May 2005.

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