

Quick reference guide - Residency exemption process

Eligibility

A person must meet all the eligibility criteria to access voluntary assisted dying.

1. Have an eligible disease, illness or medical condition
2. Have decision-making capacity
3. Be acting voluntarily and without coercion
4. Be at least 18 years of age
5. *Fulfil residency requirements.*

Residency requirements

To fulfil the residency requirements, you must either:

- be an Australian Citizen, or
- be a permanent resident of Australia (this includes New Zealand citizens who hold a special category visa as defined by the *Migration Act 1958* (Commonwealth)), or
- have been ordinarily resident in Australia for at least three years immediately before making the first request:
 - 'ordinarily resident' is someone who regularly or normally lives in Australia. It does not include people who temporarily live in a place, for example, for a holiday, business, or education, or
 - have been granted an Australian residency exemption by Queensland Health.

You must also have been either:

- ordinarily resident in Queensland for at least 12 months, immediately before making a first request, or
- granted a Queensland residency exemption by Queensland Health.

Residency exemptions

If you do not meet the residency requirements, but do meet the other four [eligibility criteria](#), you may be able to apply for a residency exemption from Queensland Health.

Queensland Health can grant an exemption from the residency requirements:

- if you have a **substantial connection** to Queensland, and
- where there are **compassionate grounds**.

Examples of a substantial connection to Queensland are people who:

- have been living in Queensland for several years
- have been living in a place close to the Queensland border and who work in Queensland and receive medical treatment in Queensland. For example, someone who lives on the northern New South Wales border
- live outside of the state but are a former Queensland resident
- have family who live in Queensland.

Compassionate grounds will be considered on a case-by-case basis. Compassionate grounds are reasons for letting an individual do something out of sympathy for their suffering.

Application process

Step 1: First Request

You will need to make a first request for voluntary assisted dying and have your doctor accept your request. You and your doctor must be in Queensland:

- when you make a first request
- for all steps in the voluntary assisted dying process.

If you do not have a Queensland-based doctor, you can contact the Queensland Voluntary Assisted Dying Support and Pharmacy Service (QVAD SPS) who will be able to help you find a doctor who can help with your request.

- **Phone:** 1800 431 371 or **Email:** qvadsupport@health.qld.gov.au

Step 2: Submit Application

You will need to fill in and submit an application to Queensland Health, by emailing the following items to VADEXEMPTIONS@health.qld.gov.au:

- **a completed *Residency Exemption Application Form***, you can get a copy of this form by emailing VADEXEMPTIONS@health.qld.gov.au.
- **a letter of support** from your coordinating practitioner.
 - Your coordinating practitioner or Hospital and Health Service (HHS) VAD Coordinator will give you this letter if you are likely to meet the other four eligibility criteria. They can email VADEXEMPTIONS@health.qld.gov.au for a letter template.
- **evidence of your substantial connection to Queensland.** You must provide **two or more** supporting documents. This can include:
 - medical records or a letter from a health professional involved in your care (other than your coordinating doctor) confirming you have been receiving treatment in Queensland
 - a letter from a family member in Queensland
 - a statutory declaration by yourself, a relative or friend supporting the information in your application
 - other evidence of former residency in Queensland
- **details of compassionate grounds** for consideration.

Note: if you are unable to submit or email your application, you can ask a support person or your doctor to submit the form on your behalf.

Step 3: Assessment

Queensland Health will assess your application. You may be asked for more information to support your application.

Step 4: Outcome

Once all the requested information is received, you will be emailed the outcome of your application within five business days. If you have any questions during the application process, you can ask your doctor or contact QVAD SPS.

If you are granted a residency exemption, your coordinating practitioner can continue to the first assessment, if you wish to continue.

If you are not granted a residency exemption the voluntary assisted dying process stops. The decision of Queensland Health to not grant a residency exemption is not reviewable by the Queensland Civil and Administrative Tribunal. It is recommended you talk to your coordinating practitioner about other care and support available to you.