Categories: End of life planning,

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Italy

Law 219/2017 Norme in materia di consenso informato e di Disposizioni Anticipate di Trattamento (***Provisions on informed consent and advance directives***)**:** Approved on 22 December 2017, this law protects a person's autonomy and self-determination.

Key points

- The patient has the right to be informed about diagnosis, prognosis, available treatments, and alternatives.
- They must be able to refuse or accept proposed treatments.
- The law promotes shared care planning and Advance Directives (DAT).
- Obligations for the doctor:
    - Should not administer disproportionate or unnecessary treatments
    - Respect the patient's will
    - Ensure adequate pain management
- Includes provisions regarding consent for minors and individuals lacking capacity.
- The doctor/patient relationship is rethought, placing communication at the center.

Law no. 219/2017 does not regulate euthanasia or assisted suicide. However, in Italy, Constitutional Court ruling no. 242/2019 has recognized the possibility of accessing medically assisted suicide under certain conditions: the person must be capable of making informed decisions, affected by an irreversible condition causing intolerable physical or psychological suffering, and kept alive by life-sustaining treatments.

Advance Directives (DAT)

A document in which a legally competent adult expresses their healthcare wishes and choices, indicating the treatments they do or do not want, in anticipation of a possible future incapacity for self-determination.

The doctor is required to respect DATs, unless they are deemed inconsistent, not reflective of the current clinical situation, or outdated by new therapeutic possibilities that were unforeseeable at the time of writing.

DATs must be submitted in written form to the Civil Registry Office of the municipality or to a notary, through video recordings or via alternative communication devices (for individuals with disabilities).

National DAT Registry

The Registry has been active since 1 February 2020, collecting DATs filed with municipalities and notaries. It also allows timely revisions in case of changes or revocations and enables the person, their proxy, and the attending physician to access and consult them.

Proxy (*Fiduciario*): a person appointed by the patient to ensure their wishes are respected. They must be a legally competent adult and act as an intermediary with healthcare personnel if the patient loses decision-making capacity.

Shared Care Planning

For patients with chronic, disabling, or terminal illnesses, it is possible to define a shared plan between the care team, the patient, and, if appointed, the proxy. The plan is binding for the medical team if the patient loses the ability to express themselves. It can be updated over time, based on the progression of the illness.

Useful Links:

Updated information on how the 217/2019 law works:

https://www.salute.gov.it/new/it/tema/disposizioni-anticipate-di-trattamento-dat/

https://www.vidas.it/legge-219-2017-dat-consenso-informato/

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