

Medical Assistance in Dying (MAiD): Information for patients and families

What is Medical Assistance in Dying (MAiD)?

Medical Assistance in Dying (MAiD) is a procedure in which a patient is given medications to intentionally and safely end their life. Federal law governs who is eligible for MAiD, and the processes under which a patient can receive it.

Who is eligible to receive MAiD?

To be eligible for MAiD under federal law:

- You must be 18 years of age or older and eligible for publicly-funded health care in Canada.
- You must have a serious and incurable illness, disease or disability.
- You must be in an advanced state of decline that cannot be reversed.
- You must be capable of making your own health-care decisions.
- You must have all the information you need to make informed decisions about:
 - your medical diagnoses
 - available forms of treatment, and
 - available options to relieve suffering, including palliative care.
- You must be experiencing physical or mental suffering from your condition that is unbearable and cannot be helped in a way that is acceptable to you, and
- You must make a voluntary, written request for MAiD. You must do this willingly, without pressure or influence from other people.

What does it mean to be capable?

To be capable of making decisions about your health you must:

- understand and remember information needed to make decisions about your medical treatment, and
- appreciate what could happen because of your decisions.

Your medical condition can change very quickly. This can cause you to lose your ability to make decisions. If you are at risk of losing capacity because of your condition, your MAiD assessor will discuss what options may be available to you.

I think I am eligible for MAiD. What does the process involve?

To receive MAiD, you must follow a series of steps. There are two pathways for patients depending on whether you have a Reasonably Foreseeable Natural Death (RFND). Your health condition will determine which pathway you are required to follow in order to determine if you are eligible to receive MAiD.

Remember, MAiD is not a last-minute or rushed process. It can take several days or weeks to go through the steps. Your MAiD team will work with you and your care team to develop the most appropriate plan to support you and your loved ones. If it is expected that you will die very soon, there may be other end-of-life care options that may be better for you.

Step 1: Written request

You must request MAiD in writing. Your signature must be witnessed by one person, who must sign the document at the same time as you.

Witnesses:

- must be 18 years of age or older.
- cannot be named in your will.
- cannot benefit from your death financially or materially.
- cannot own or operate the health-care facility where you live or are being treated, and
- cannot be your MAiD assessor or provider.

Step 2: Assessments of eligibility

You will have at least two independent assessments to see if you meet the legal criteria for MAiD. The doctor or nurse who usually looks after you may be able to do one of the assessments. You may need assessments by other health-care professionals to help determine if you meet the eligibility requirements for MAiD.

Both assessors must agree that you are eligible to receive MAiD. Each assessment can take up to 1 to 2 hours. The assessment includes:

- a review of your medical history and your current medical situation
- a discussion about treatment options and community supports available to you, including palliative care
- an assessment of your ability to make decisions
- a limited physical examination
- a detailed explanation of the MAiD process including which pathway you will follow based on whether your death is reasonably foreseeable, and
- an opportunity to answer any questions or concerns you or your loved ones may have.

Step 3: Possible waiting period

For people who **do not** have a reasonably foreseeable natural death (RFND) and meet all the criteria, at least 90 days must pass between your first assessment and when MAiD is provided. People who **do** have an RFND and meet all the criteria do not need to wait the 90 days between your first assessment and provision of MAiD. **In both cases**, in addition to your two MAiD assessments, you or your assessor may have to consult with a medical practitioner or nurse practitioner who has expertise in the medical condition that is causing your suffering.

Step 4: Provision of MAiD

If you are found to be eligible for MAiD and decide to proceed, your MAiD team will create a detailed plan with you. This will include the date, location, who will be present and any special arrangements you require.

I am suffering from mental illness, but no other health concerns. Am I eligible for MAiD?

Under the new changes made to the law, people with mental illness as their **only** medical condition causing suffering are **not** eligible to seek MAiD. This exclusion remains in effect until March 17, 2023. This will allow the Government of Canada more time to consider how MAiD can safely be provided to those whose only medical condition is mental illness.

Can I change my mind about receiving MAiD?

Yes. You can change your mind at any time, for any reason. Simply tell your doctor, nurse, or a member of the Champlain MAiD Network that you do not wish to continue with MAiD.

Do I have to go through treatment first?

No, you do not have to go through treatment before requesting MAiD. However, the assessors will confirm that you are aware of the available and appropriate means to relieve your suffering, including counselling services, mental health and disability support services, community services and palliative care.

What if my health-care provider objects to MAiD?

Health-care providers have the right to refuse to participate in MAiD based on their personal beliefs. In this case they are required to provide you with a timely referral to someone who can help you access MAiD.

What else is involved?

In Ontario, the Office of the Chief Coroner must be notified of all MAiD cases and will be contacted just after MAiD has occurred. In most cases a representative from the coroner's office will ask to speak to a member of your family at this time.

If I choose MAiD, will it affect my life insurance?

No. MAiD will not affect life insurance or pensions.

What if I am not eligible?

If you are not eligible for MAiD, you will continue to be supported with the compassionate care that you require.

What if I have other questions?

If you have questions, please discuss them with your doctor, nurse practitioner or member of your health-care team.

For more information about MAiD, contact The Champlain Regional MAiD Network: maid@toh.ca