

Medical Assistance in Dying

FAQ for Patients Considering MAiD

Introduction

This handout is for patients and families at Hamilton Health Sciences (HHS). It is about the personal decision to explore the option of “medical assistance in dying.”

What is “medical assistance in dying”?

Medical Assistance in Dying (MAiD) is a legal option in Canada that allows you to ask for a life-ending procedure if you meet certain conditions.

MAiD is a very personal decision. Some reasons people choose to have MAiD are:

- Physical or emotional suffering caused by a medical condition that can't be improved
- Loss of independence or function
- Decreasing ability to do enjoyable things
- Loss of dignity

Could I be eligible for MAiD?

In order to be eligible for MAiD in Canada, you must be assessed by two doctors or nurse practitioners and meet all of the following legal criteria:

- Over 18 years old
- Have a provincial health card or be eligible for provincial health coverage
- Have a serious, incurable medical condition (Note: Mental illness alone does not qualify a person to receive MAiD currently.)
- Be capable to make your own healthcare decisions
- Be making this request on your own without pressure from anyone else
- Be aware of other options to relieve your suffering

There are 2 sets of rules to support and protect individuals exploring MAiD as an option:

- Reasonably Foreseeable Natural Death: individuals with a medical condition that leads to natural death
- No Reasonably Foreseeable Natural Death: individuals with a medical condition that does **not** lead to natural death

If I think I am eligible for assisted dying, how do I get the process started?

First, tell your healthcare team that you are thinking about assisted dying as an option. They will discuss all of your options with you. If you have difficulty communicating, your healthcare team will find you supports.

If you want to be formally assessed for MAiD, you need to provide a request in writing. Your request must be signed by one eligible witness.

If you are unable to write, another adult can sign the MAiD request form for you. Once signed, this request form should be given to your healthcare team so they can get the process started.

You can find the Patient Request for Medical Assistance in Dying form at <http://www.health.gov.on.ca/en/pro/programs/maid/default.aspx>

How do I know if I am eligible?

Only doctors and nurse practitioners can assess whether you are eligible. You will have **two** assessments with two different doctors or nurse practitioners, possibly with help from other members of the healthcare team. They will have to agree that you meet the legal criteria. If one of the assessors feels you do not meet the criteria, you can ask to be assessed by someone else.

For people who don't have a medical condition that will lead to their natural death (No Reasonably Foreseeable Natural Death), your healthcare team must consult with a practitioner who has expertise in your medical condition. They must ensure you know about all the available options that can relieve your suffering, and how you can access those options.

How long will the assessment take?

Assessments usually take 1-2 hours. There is no formal "test" to be completed. The assessment involves a conversation about your personal story and why you think MAiD is the right choice for you. Sometimes these conversations take place over multiple meetings. They may be in person or through a virtual platform like Zoom or on the phone.

Is there a waiting period once I decide I want MAiD?

For patients with a medical condition that will lead to natural death (Reasonably Foreseeable Natural Death), there is no legal waiting period. However, it is important to remember that MAiD is not intended to be an emergency procedure. It often takes several days or weeks to complete the two assessments and arrange the MAiD procedure.

People who don't have a medical condition that will lead to their natural death (No Reasonably Foreseeable Natural Death) cannot receive MAiD until at least **90 days** after they are found eligible in one assessment. This reflection period may be reduced if both

of your MAiD assessors agree you might lose capacity before the 90 days is complete. Please ask your team for details on how this might affect you.

Do I have to undergo treatment first?

No. You will be informed of all reasonable options for your medical condition. You do not have to undergo any treatment, such as chemotherapy or surgery, that you find unacceptable.

Who may be involved in providing assisted dying?

Not all healthcare providers are comfortable providing MAiD. HHS has created an Assisted Dying Resource and Assessment Service (ADRAS) to provide MAiD to our patients. ADRAS is a team of health care professionals, including doctors, nurses, pharmacists and others. The role of this team is to support patients/families and their healthcare teams through the MAiD process. The ADRAS team will be contacted through your healthcare team if you choose to explore MAiD.

Do I have to inform my family about my wish for MAiD?¹

Many patients want to involve their families and love ones as they explore the option of MAiD. However, the decision to receive MAiD is yours alone. If it is difficult to talk with your family for any reason, you can ask for help from your healthcare team, such as social workers, spiritual care providers, or others. If there is a family member you don't want to be told about your request for MAiD, the healthcare team will keep that information confidential.

Where can I have MAiD?

HHS patients can receive assisted dying in hospital and at home (this includes retirement home and long-term care home). Your healthcare team will help you decide what is best for you.

Can I have family and friends with me when I die?

Yes, you can have anyone you choose with you when you receive MAiD. You should discuss this with them in advance to make sure they are willing to be present at your death. The healthcare team will help prepare you and them.

Can I write down my wishes in case I lose capacity?

You cannot write your wishes for MAiD in an advance care plan, such as a living will. However, patients who have a medical condition that leads to natural death (Reasonably Foreseeable Natural Death) and have already been found eligible after both assessments have the option to sign a waiver to receive MAiD if they lose capacity before their procedure.

Can I change my mind?

Yes, you can change your mind at any time, for any reason. Simply tell a member of your healthcare team. If you change your mind, you will continue to receive other care.

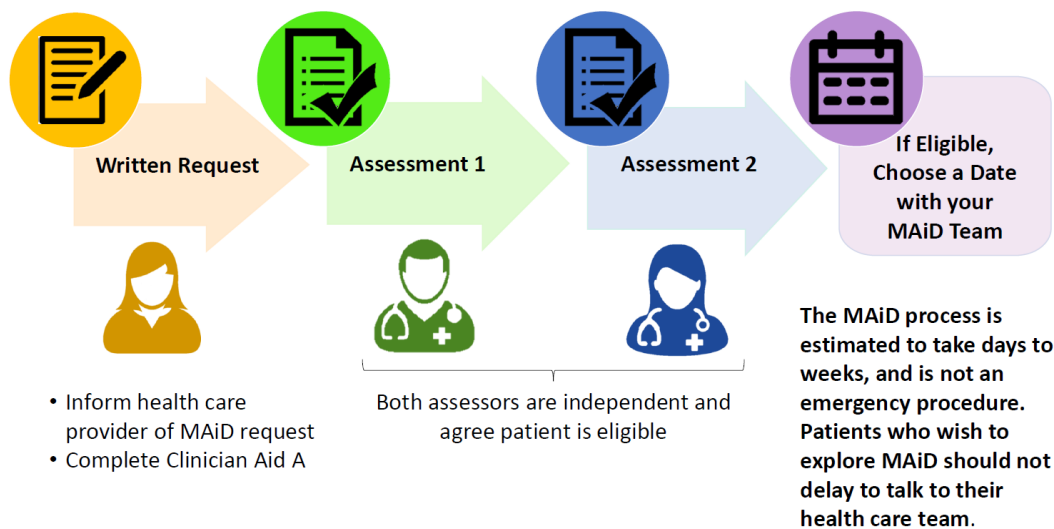
¹ Family is defined as anyone important to the patient.

Throughout the process healthcare team members will ask you several times if you still wish to receive assisted dying or have changed your mind. This is to ensure you are certain that MAiD is right for you.

Will MAiD be listed on the death certificate?

No. The cause of death will be the patient's underlying medical condition(s), e.g., cancer, ALS, congestive heart failure, etc.

What are the steps in the process?



Infographic adapted from AD RAT, William Osler Health System

What if I have other questions?

If you have other questions, please ask a member of your health care team. You can also email adras@hhsc.ca with your questions.

What other resources are available?

Ontario Ministry of Health and Long-Term Care MAiD Resource
<http://www.health.gov.on.ca/en/pro/programs/maid/default.aspx>

References:

Bill C-14. An Act to amend the Criminal Code and to make related amendments to other Acts (medical assistance in dying). S. 241.2 (1)
<http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=8384014>

Bill C-7. An Act to amend the Criminal Code (medical assistance in dying)
<https://lop.parl.ca/staticfiles/PublicWebsite/Home/ResearchPublications/LegislativeSummaries/PDF/43-1/c7-e.pdf>