

# Medical Assistance in Dying: Honoring wishes

Family Caregivers of BC, *Nov 5, 2019*

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Aim: After this session you will have an understanding of MAiD as an End-of-life care option:

- ▶ Legislation
- ▶ Eligibility & safeguards
- ▶ Process
- ▶ Current reality & issues
- ▶ Stories
- ▶ Resources

# LEGISLATION

- ▶ MAiD is a legal option
- ▶ June 17, 2016. Bill C-14  
“An Act to amend the Criminal Code and to make related amendments to other Acts (MAiD)
- ▶ MAiD is unique: assisted suicide (oral) and euthanasia (IV) option

# IMPORTANT TIME IN CANADIAN HISTORY...

- ▶ **Sue Rodriguez, ALS 1993:** SCC decision denied right to assisted suicide (5-4 decision)
- ▶ **Gloria Taylor, ALS 2012:** BC Court of Appeal approved exemption; died later that year from an infection
- ▶ **Kay Carter, Adv. Spinal Stenosis (died Switzerland 2010)**
- ▶ **Feb 6, 2015: Carter v. Canada:** Supreme Court of Canada struck down prohibition of assisted suicide

Started a new movement in Canada

“If I cannot give consent to my own death, whose body is this?  
Who owns my life?”

The philosophical question:  
*What role may the individual play  
in his or her own death?*



# Who is Eligible:

- ▶ eligible for health services in Canada
- ▶ at least 18 & capable of making decisions about their health
- ▶ a *grievous* and *irremediable*\* medical condition
- ▶ a voluntary request
- ▶ consent after receiving information about diagnosis, available treatment and options to relieve suffering (including Palliative Care)

# Grievous & Irremediable:

- ▶ a serious illness, disease, or disability
- ▶ an advanced state of decline that cannot be reversed
- ▶ suffering unbearably
- ▶ be at a point where natural death has become “reasonably foreseeable”

# Case Law Precedents:

- Reasonably foreseeable: Superior Court, Ontario (Case of AB, June 19, 2017)
- Court ruling (Quebec, Sept 11, 2019) (Truchon & Gladu)
- Government expert (Sept 2019; Julia Lamb case, BC)



# Safeguards:

- ▶ Make the request in writing
- ▶ Give consent & able to make this health care decision for self
- ▶ Request the service of their own free will
- ▶ 10 clear days between day request is signed & day chosen
- ▶ Able to give consent, or withdraw, immediately before MAiD
- ▶ Two independent witnesses (some Dying With Dignity chapters provide)



# Process for patient:

- ▶ Complete “Patient Request” Record
- ▶ Two assessments (Physician or NP):
  - Assessor (role)
  - Prescriber (role)
  - (Capacity assessment)
- ▶ Advised if eligible (relief)
- ▶ Plan.... (we see ++ rituals)



# Federal data

- ▶ Government of Canada data report (April 2019) provides overview of current state (period Jan 1 - Oct 31, 2018)
- ▶ Data oversight (Coroner, Ministry of Health)
- ▶ New federal data elements added Nov 1 2018
- ▶ Helps us understand (plan, quality)

# Reality:

- average age 72.5 years
- location: home, acute, LTC, other
- Illness: cancer, circulatory and respiratory, neurodegenerative....
- IV most common

# Example of provincial data:

- ▶ Jan 1, 2016 - Aug 31, 2019 - MAiD Deaths in **British Columbia**
  - ▶ Island Health 1,111
  - ▶ Interior Health 471
  - ▶ Fraser Health 399
  - ▶ Northern Health 107
  - ▶ Vancouver Coastal 564
  - ▶ **Total: 2,641**

# Current Issues ...

- ▶ Age
- ▶ Advance requests
- ▶ Advance consent
- ▶ Mental Illness
- ▶ Palliative care access
- ▶ Concerns for elderly



cont'd...

- ▶ Low number of oral
- ▶ Associations adjusting positions
- ▶ Conscientious objection by faith based facilities
- ▶ Current law evolution





# Future ...

- ▶ Bereavement support
- ▶ Experience (++ stories)
  - ▶ Webinar, 4 stories.
  - ▶ [https://www.dyingwithdignity.ca/journeys\\_with\\_choice\\_november\\_2017](https://www.dyingwithdignity.ca/journeys_with_choice_november_2017)
  - ▶ Journeys with choice: Four Canadians share their experiences with assisted dying
  - ▶ These courageous storytellers:
    - ▶ - Liana Brittain, Prince Edward Island
    - ▶ - Jana Buhlmann, British Columbia
    - ▶ - John MacTavish, Ontario
    - ▶ - Cliff Campbell, British Columbia
- ▶ Organ donation
- ▶ MAiD “House”



# Medically assisted death allows couple married 73 years to die together

The Brickendens are one of the few couples in Canada to receive a doctor-assisted death together, and the first to speak about it publicly  
(GLOBE & MAIL)



While topic is complex, it can be said with certainty: “Neither those who are strongly supportive, nor those who are opposed, hold a monopoly on integrity or a genuine concern for the well being of people contemplating end of life.” Chochinov, 2016



Have conversations  
about hopes and wishes  
for end of life...  
early conversations.

We strive for a system  
of high quality EOL care.

All the best to each of  
you!



# Don't Care Alone

## CALL US

Caregiver Support Line:  
toll free 1-877-520-3267

Browse our Website

[www.familycaregiversbc.ca](http://www.familycaregiversbc.ca)

- Caregiver Support Groups
- Live & Recorded Webinars
- Top Tips & Tools
- Flip Books
- Newsletters / eNews



Thank you!