

## Medical Assistance in Dying (MAiD) Guidelines

### Introduction

These guidelines will assist CASLPM registrants in understanding their professional and legal responsibilities related to MAiD. While registrants are not obligated to provide or participate in MAiD, they need to comply with provincial and federal legislation with respect to MAiD.

### Overview of the Legislation

In accordance with federal legislation, physicians and nurse practitioners are permitted, at an individual's request, to provide that individual with medical assistance in dying in one of two ways:

- Directly administer a substance that causes an individual's death; or,
- Provide or prescribe a substance for an individual to self-administer to cause their own death.

While there may be future revisions to the legislation, individuals who wish to receive MAiD currently must meet all of the following criteria:

- Be eligible for health services funded by the provincial or federal government.
- Be at least 18 years old and capable of making their own health decisions.
- Have a serious and incurable illness, disease, or disability (not including mental illness).
- Have made a voluntary request for MAiD free from any outside pressure or influence.
- Have given informed consent to receive MAiD after being made aware of all options available including palliative care.

MAiD can only be provided to clients who can give consent. Consent through a substitute decision maker or through a personal advanced health directive are not applicable.

Under the federal legislation, no one is compelled to participate in medical assistance in dying.

Under the Manitoba statute:

- Registrants can, without disciplinary or employment repercussions, refuse to participate in care related to medical assistance in dying because of personal convictions; and
- A professional regulatory body cannot require its members to participate in care related to medical assistance in dying.

### Registrant Participation in or Objection of MAiD

Regardless of a registrant's moral, ethical, or religious concerns or objections, a registrant will:

- Respect the dignity, values, and choices made by a client or a substitute decision maker.
  - Registrants may provide factual, neutral information about MAiD as a possible medical intervention when clinically appropriate and consistent with the client's care goals, values, and context.

- Registrants are not allowed to share personal opinions on MAiD with clients and should refer those seeking information or services to the MAiD team.
- Be aware of their facility/Regional Health Authority (RHA) policies regarding MAiD.
  - If the registrant is a conscientious objector to MAiD, they must express this with as much advance notice as possible to their employer.
- Make appropriate and effective referrals in a timely manner.
  - Registrants, if approached by a client or their family/client designate about MAiD, can refer a request for information or services directly to the provincial MAiD team. The MAiD team will establish eligibility and consent.
  - Registrants can also provide an information pamphlet obtained from the provincial MAiD website and/or can direct a client or their family/client designate to the Shared Health MAiD website.
  - Registrants can also direct a client, or their family/client designate to their physician or other health care provider.
  - If the registrant is a conscientious objector, they can choose not to participate in the discussion of MAiD but still need to refer the client to another clinician, institution or agency that can address their questions in a timely manner.
- Continue to provide for the health care needs of any client who has inquired or requested information about MAiD.
  - A client requesting or discussing MAiD services does not diminish the therapeutic benefit of continuing treatment of other healthcare services not related to MAiD even if the registrant is a conscientious objector.

## MAiD Specific Definitions

***“Conscientious Objector”*** means any registrants who refuses to provide or participate in providing MAiD related services because such action would violate a personal, deeply held moral or ethical value.

***“MAiD” or “Medical Assistance in Dying”*** means the administering by a Medical Practitioner or Nurse Practitioner of a substance to an individual, at that individual’s request, that causes death; or the prescribing or providing by a Medical Practitioner or Nurse Practitioner of a substance to an Individual, at that Individual’s request, so that they may self-administer the substance and in doing so cause their own death.

***“MAiD Team”*** means the group of health care professionals known as the Manitoba Provincial MAiD Team who have been approved by the Shared Health chief medical officer to provide MAiD.