

# **MEDICAL ASSISTANCE IN DYING**

Information for Patients

## **GETTING THE RIGHT HELP**

Death and dying can be difficult subjects to think and talk about. If you are thinking about medical assistance in dying, talk to someone who can help make sense of your choices: a doctor, nurse practitioner, or other health care provider, such as a psychiatrist or psychologist. You can also speak with your family, friends or a spiritual advisor. If your suffering continues and you want to consider a formal request for medical assistance in dying, you will need to speak with your doctor or nurse practitioner.

## **YOUR DOCTOR OR NURSE PRACTITIONER CAN GUIDE YOU THROUGH THE PROCESS**

He or she can discuss your medical condition with you - your diagnosis and prognosis, and all the appropriate care options available. These may include different medical treatments, palliative care, psychological support, spiritual care and/or medical assistance in dying.

If you need help to understand the options – such as an interpreter or another kind of assistance - your physician or nurse practitioner must take all necessary steps to ensure you can understand the information and can communicate your decision.

Some doctors or nurse practitioners may not want to provide medical assistance in dying. They may choose not to provide the service. However, in Ontario, it is their professional duty to refer you to a doctor or nurse practitioner who is available to assess you for this service.

## **A REQUEST FOR MEDICAL ASSISTANCE IN DYING MUST BE IN WRITING**

Your doctor or nurse practitioner can provide you with a form to complete. If you are physically unable to complete and sign the request, you can ask someone else to do it for you. Your written request must be signed and dated after you are told by your physician or nurse practitioner that you have a grievous and irremediable medical condition. You can withdraw your request at any time.

Your request must be signed and dated with two independent witnesses present.

### **Important to know:**

- You must personally consent to medical assistance in dying. Another person, often called a substitute decision maker, cannot consent or make the request for you.
- You cannot give consent in advance. You must be able to provide consent until the moment you receive medical assistance to die.
- You can withdraw your request at any time, and in any way you choose.
- Even if you make the request, you can still receive all the other types of health care you need.

## WHETHER YOU'RE ELIGIBLE DEPENDS ON SPECIFIC REQUIREMENTS

Once you make your request, your doctor or nurse practitioner will assess whether you are eligible to receive medical assistance in dying. Your eligibility depends on a number of conditions required by law.

### WHO IS ELIGIBLE FOR MEDICAL ASSISTANCE IN DYING?

Here are some of the legal requirements set out in federal legislation that must be met.

To receive medical assistance in dying, a patient must:

- Be eligible for publicly funded health care services in Canada
- Be 18 years of age or older
- Be capable of making health care decisions and
- Have a grievous and irremediable medical condition, which means the patient:
  - Has a serious and incurable illness, disease or disability, and
  - Is in an advanced state of irreversible decline in capability, and
  - Is enduring physical or psychological suffering, caused by the medical condition or the state of decline, that is intolerable to the person, and
  - Natural death has become reasonably foreseeable.

Your doctor or nurse practitioner will make sure that you are making your request voluntarily and that you are providing informed consent. Your doctor or nurse practitioner will discuss the options available to relieve your suffering, including palliative care, before you provide informed consent to medical assistance in dying.

## A SECOND ASSESSMENT IS REQUIRED

If your doctor or nurse practitioner decides that you qualify for medical assistance in dying, a second doctor or nurse practitioner must complete another assessment to confirm that you meet all the eligibility criteria. He or she must provide the assessment in writing to the first doctor or nurse practitioner.

## YOU HAVE TIME TO THINK ABOUT YOUR DECISION

At least 10 days must pass before assistance in dying is provided, starting from when you signed the written request, to give you time to think about your decision. In some cases, the doctors or nurse practitioners may approve a shorter waiting period. You may also withdraw your request at any time.

## WHAT IS THE SERVICE ITSELF?

Once the waiting period has passed, doctor or nurse practitioner will either give you the drugs by intravenous (IV) injection, or will write a prescription for you to fill on your own. This means you take the drugs yourself, in a setting of your choice. How you receive the drugs is your choice.

Right before providing the drugs or giving you the prescription, your doctor or nurse practitioner will give you an opportunity to withdraw your request, will confirm he or she finds that you are still medically capable of making this choice, and will get your final consent to proceed.

## WHAT WILL BE DONE AFTER I DIE?

Under current law, all deaths from medical assistance in Ontario must be reported by the physician or nurse practitioner to the Office of the Chief Coroner, unless otherwise ordered by a Court. Once a death is reported, the Office of the Chief Coroner is required to investigate. The coroner will examine the body to the extent necessary to enable the coroner to satisfy their mandated duty. Each investigation is different.

Patients who choose to take the prescribed drugs on their own are encouraged to share their plans and the contact information of their doctor or nurse practitioner with family or friends, or in writing somewhere easily located. This will help ensure authorities are aware the death was planned.

Patients should make sure that they or their family can provide all the information and documentation that the doctor, nurse practitioner or coroner may require.

## OTHER SOURCES FOR HELP AND HEALTH INFORMATION

If you feel an urgent need for assistance, consider the following resources, **available 24 hours a day/7 days a week:**

- If you have a medical emergency or require immediate attention, call **9-1-1**
- If you are experiencing distress or a crisis, there are support lines in many cities across Ontario. A list of phone numbers is available at **<http://www.dcontario.org/centres.html>**
- If you need assistance or services to address a mental health issue, call Ontario's Mental Health Helpline at **1-866-531-2600**
- If you need information about community, social, non-clinical health and related government services in Ontario, dial **2-1-1**