

# MEDICAL ASSISTANCE IN DYING (MAID) For Track 1 Requests

## Frequently Asked Questions Hamilton Family Health Team 2023

This handout is **for patients and families with a family doctor in the city of Hamilton** seeking information about medical assistance in dying for individuals with a reasonably foreseeable natural death.

The HFHT has a variety of resources and supports to help both patients and families begin to think about the option of medical assistance in dying.



## WHAT IS MEDICAL ASSISTANCE IN DYING?

In Ontario, medical assistance in dying (MAiD) occurs when a doctor or nurse practitioner administers a substance to a person, at their request, that causes their death.

## WHO IS ELIGIBLE FOR MEDICAL ASSISTANCE IN DYING?

To receive medical assistance in dying, a person must meet ALL of the following criteria:

- Be eligible for publicly funded health care services in Canada
- Be at least 18 years of age
- Be capable of making health care decisions, including providing informed consent
- Have a significant and irreversible medical condition, which means the person:
  - Has a serious and incurable illness, disease, or disability, and
  - Is in an advanced state of irreversible, declining 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 cannot be relived under conditions they consider acceptable

Additionally, to be eligible for MAiD under track 1, a person must have a natural death that is “reasonably foreseeable”. Meaning, that when all a person’s health related factors (e.g., nature of the illness, other medical conditions, age, frailty) are taken into consideration, the assessors feel the person’s natural death is likely in the near future.

The health care team will also need to make sure a person has:

- Made a voluntary request for assisted dying that was not made as a result of pressure from others, and
- Given informed consent to receive assisted dying after having been informed of all the means available to relieve their suffering, including palliative care.

## WHAT DOES IT MEAN TO GIVE INFORMED CONSENT?

Your health care team will make sure that you are giving permission to receive medical assistance in dying after having received all the information you need to make your decision.

Your health care team must inform you of the options that are available to relieve your suffering, including palliative care. You are not obliged to agree to any treatment that is not acceptable to you.

## HOW DO I KNOW IF I MEET THE CRITERIA?

Only doctors and nurse practitioners are legally authorized to assess whether a person meets the criteria. You must have two separate assessments completed by independent doctors or nurse practitioners, at two different times.

Both assessors must conclude that you meet **all** the criteria to be eligible for MAiD. If you are found ineligible for MAiD by an assessor, you may ask to be assessed by another doctor or nurse practitioner.

## CAN OTHERS MAKE THE DECISION FOR ME?

No, only you can make the decision to request and receive assisted dying. If you are not capable, others cannot make the decision for you.

The law requires that requests for assisted dying be made in writing. Your medical team can provide you with a Patient Request form, or you can fill one out by downloading the [Clinician Aid A for Medical Assistance in Dying](#) form from the [Hamilton Family Health Team MAiD website](#), or the [Ontario Central Forms Repository](#). If you are physically unable to complete, sign and date the request, you may ask another person to sign for you, in your presence, and with your permission.

## CAN I MAKE MAiD PART OF MY ADVANCED CARE PLAN?

No. Currently the law does not allow for the creation of Advanced Directives around MAiD.

Under normal circumstances you must be able to provide consent for medical assistance in dying immediately before it is provided. You may complete a “waiver of final consent” if the following conditions are met:

- Your natural death has become reasonably foreseeable.

- You are assessed as eligible for and approved to receive medical assistance in dying.
- Your provision of medical assistance in dying has been scheduled with a specific doctor or nurse practitioner.
- You have been informed by your doctor or nurse practitioner that you are at risk of losing decision-making capacity before the scheduled date.
- You consent to receive your provision of MAiD from that doctor or nurse practitioner if you lose capacity on or before that scheduled date; and
- You do not demonstrate by words, sounds, or gestures that you are refusing or resistant to having medical assistance in dying at the time of provision.

### **HOW QUICKLY CAN I HAVE MAID ONCE MY ASSESSMENTS ARE COMPLETED?**

You will decide with one of your assessors on the best day and time for your provision of MAiD. There is no minimum waiting period required once you have been found eligible to receive MAiD by both your assessors.

You will still have time to think about your decision.

You may also withdraw your request at any time for any reason. You will continue to receive high quality care. No one will think any less of you for changing your mind.

### **DO I HAVE TO INFORM MY FAMILY?**

It is a good idea to try and involve your family – getting medical assistance in dying may have a major impact on them. If it is difficult to talk with your family for any reason, you can ask for help from your health care team.

### **CAN I HAVE MY FRIENDS AND FAMILY WITH ME WHEN I DIE?**

Yes, you can have anyone you choose with you during assisted dying. In fact, you need to have at least one other support person with you in addition to the health care team. You should discuss this with them well in advance to make sure that they are willing to be present. Your health care team will help prepare you and those that will be in attendance. It is important that they understand what they will see before they agree to be there with you.

### **WHERE CAN I HAVE ASSISTED DYING?**

Assisted dying is provided at home. This includes long-term care homes and retirement homes. If these locations are not suitable for you, please speak to your healthcare team.

### **WHAT IF I HAVE MORE QUESTIONS?**

If you have any further questions, please ask a member of your healthcare team.

### **WHAT IF I WANT TO REQUEST MAID?**

If you want to request MAID, please speak to a member of your health care team.

You can also request information about MAID by contacting the Hamilton MAiD Community Outreach Team at 905-667-4848 x 340 or [maid.inquiries@hamiltonfht.ca](mailto:maid.inquiries@hamiltonfht.ca).

### **ADDITIONAL RESOURCES**

[Ministry of Health – MAID Information in Ontario](#)

[Ministry of Health – MAID Information for Patients](#)

[Hamilton Health Sciences – MAID FAQ](#)

[College of Physicians and Surgeons Ontario – MAID Policy](#)

[Bill C-14 MAID Act](#)