



Hospice Palliative Care and Medical Assistance in Dying (MAiD) in Canada

How will they co-exist?

GUIDANCE FOR HEALTH CARE PROFESSIONALS AND VOLUNTEERS IN HOSPICE PALLIATIVE CARE AND OTHER SETTINGS

With all of the media coverage and polarized opinions surrounding Medical Assistance in Dying (MAiD), patients need to know that they are being heard—person-centered care should be top of mind for health care professionals and volunteers.

This guide is intended to help health care/hospice palliative care professionals and volunteers to have a conversation with and/or respond to patients or their families around Medical Assistance in Dying (MAiD).



Canadian Hospice Palliative Care Association

Association canadienne de soins palliatifs

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BACKGROUND TO MAiD

Medical assistance in dying occurs when a physician or nurse practitioner prescribes or administers medication that intentionally brings about the patient's death, at the request of the patient.

In accordance with the new law this procedure will only be available in limited circumstances. Further information is available in the appendices at the end of this guide.



Questions and Answers

For whom is this guide intended?

Q This guide was created for hospice palliative care professionals and volunteers. Other allied health care providers may also find it useful.

& Why is this guide necessary?

A You may be asked about MAiD by patients or their families who are dealing with end-of-life issues. This guide assumes that you have already been approached about it.

If you are a health care professional, you may want to consider mentioning MAiD up front if you think it is appropriate and you feel comfortable with the topic. If not, wait until the topic is broached by the patient/family.



Caution: How you bring this up may be seen as a recommendation or endorsement by the patient which has the potential to add to the fear of what the future may hold. (e.g.: "my oncologist said that MAiD is now available in Canada. Is he trying to tell me that this will get very painful and I should consider it?")



Note: Hospice palliative care volunteers are NOT to initiate conversations with patients or their families about MAiD. In some jurisdictions, non-physicians are also outside of protocol/policy to initiate the MAiD conversation.

How do you proceed if a patient asks you about MAiD?

IF YOU ARE A HOSPICE PALLIATIVE CARE PROFESSIONAL:

CLARIFY THE REQUEST:

"I wish this was over." doesn't necessarily mean "I want MAiD."

- "You say 'you wish this was over': can you tell me more of what you are thinking about?"
- If the response is "I have heard of MAiD and want to consider it". You should reply – "MAiD is legal in Canada and we can talk about it but before we do can you tell me what prompted you to ask at this time?"

TIMING:

Why now?

- "Are your issues or concerns not being addressed?"
- "Have you spoken to your most responsible provider (or care team)?"

OTHER CONCERNS:

Can you assess their existential distress?

- "Is there anything you are worried about or afraid of?"
- "Tell me about your main concerns." (Are there any quality of life issues?)
- "Is there anything you want to ask me about?"

OTHER QUESTIONS THAT ACKNOWLEDGE PERSONHOOD:

- "This must be frightening for you."
- "I can only imagine what you must be going through."
- "What should I know about you as a person to help me take the best care of you that I can?"
- "What are the things at this time in your life that are most important to you or that concern you the most?"
- "Can you tell me a little about your life history, particularly those parts that are the most important?"
- "Are there things about you that this illness does not affect?"
- "What about yourself or your life are you most proud of?"
- "How at peace are you with what is happening to you?"
- "What advice or words of guidance would you wish to pass along to your... (son, daughter, spouse, family, etc.)?"

- “Do you worry about being a burden to others?”
- “What are your biggest concerns for the people you will leave behind?”

WHAT'S NEXT?

Should a referral be considered?

- If you are a general health care practitioner, consider referring to another speciality to address the root cause of the request such as a Pain Specialist for unresolved pain issues, Palliative Care for help with pain and symptom management or Geriatrics for concerns about dementia, etc.
- If the issues identified are not related to physical symptoms, consider referring to a counsellor, social worker, or spiritual care provider to delve into these issues further.

You might have a patient ask directly about MAiD or through a family member or volunteer

IF A PATIENT ASKS ABOUT MAiD:

- Ascertain possible underlying issues (as above).
- Refer them to the appropriate resource to assess them for MAiD eligibility.



Note: Every province and regional jurisdiction therein has different protocols. Every request and situation needs to be dealt with as an individual case.

IF A FAMILY MEMBER ASKS ABOUT MAiD:

- “Why are you asking at this time? Can we talk about your concerns?”
- “Is your loved one able to request MAiD on his or her own behalf?”
- “In order to qualify for MAiD, your loved one needs to meet the criteria laid out in the *Medical Assistance in Dying* laws for this province or territory.”
- Provide unbiased information around referrals.

What if the patient is a child or minor and their parents or guardians are asking about MAiD?

- “Can you tell me more?” Why they are asking about MAiD at this time?

(continued on next page)



- “Have you spoken to the physician or health care team?” (their most responsible provider)
- “In order to qualify for MAiD, your loved one needs to meet the criteria laid out in the *Medical Assistance in Dying* laws for this province or territory.”

IF YOU ARE A HOSPICE PALLIATIVE CARE VOLUNTEER:



Note: You should familiarize yourself with your program or facility’s volunteer policy manual for policies relating to MAiD. Your policy may specifically ask that volunteers avoid acting as intermediaries.

- “Tell me more about your request...” – use an open ended question.
- “What kind of information would you like to see?” – the patient/family might just be looking for information.
- Focus has to be: “I can ask one of your health care team to speak to you about this. In the meantime is there anything you would like to speak to me about regarding this or anything I can do to help?”
- “Do I have your permission to talk to your health care provider about your request?”
- “I will contact your HPC team to speak with you if you would like to proceed/provide you with information about MAiD.”

Always ask for consent before you proceed to talking to a patient’s health care provider.



TIPS:

- Be respectful and supportive but DO NOT get into any personal preferences in this discussion.
- Inform/advise your volunteer coordinator about the discussion if you have permission to proceed.
- You may also check the relevant provincial government website to find out more about referrals.



Note: They might be feeling isolated and the right level of care has not yet been achieved.



Appendix A

Who qualifies for Medical Assistance in Dying (MAiD)?

The Medical Assistance in Dying (MAiD) legislation established the right to physician-assisted death for competent adult patients who:

- clearly consent to the termination of their life; and
- have a grievous and irremediable medical condition (including an illness, disease or disability) that causes enduring suffering that is intolerable to the individual.

A person may receive medical assistance in dying only if they meet all of the following criteria:

- they are eligible — or, but for any applicable minimum period of residence or waiting period, would be eligible — for health services funded by a government in Canada;
- they are at least 18 years of age and capable of making decisions with respect to their health;
- they have a grievous and irremediable medical condition;
- they have made a voluntary request for medical assistance in dying that, in particular, was not made as a result of external pressure; and
- they give informed consent to receive medical assistance in dying after having been informed of the means that are available to relieve their suffering, including palliative care.

This legislation means that a physician or a nurse practitioner who performs it in the circumstances set out by the legislation will not be charged with or prosecuted for a criminal offence as it is no longer a criminal act.

Who is allowed to perform medical assistance in dying?

Federal law (and many provincial laws) now allows physicians and nurse practitioners to assess for and perform medical assistance in dying. The federal government has extended protection from prosecution to other healthcare providers who aid a physician or nurse practitioner.

All levels of government across Canada must respect the rights of health care providers to decline to participate in medical assistance in dying for moral or religious reasons.

For more information:

www.canada.ca/en/health-canada/services/medical-assistance-dying



Appendix B

Provincial Government Resources on MAiD:

- **British Columbia:** <http://www2.gov.bc.ca/gov/content/health/accessing-health-care/home-community-care/care-options-and-cost/end-of-life-care/medical-assistance-in-dying>
- **Alberta:** <http://www.health.alberta.ca/health-info/medical-assistance-dying.html>
- **Saskatchewan:** <https://www.saskatchewan.ca/residents/health/accessing-health-care-services/medical-assistance-in-dying>
- **Manitoba:** <http://www.gov.mb.ca/health/maid.html> and <http://www.wrha.mb.ca/maid/>
- **Ontario:** <http://health.gov.on.ca/en/pro/programs/maid/>
- **Quebec:** <http://sante.gouv.qc.ca/programmes-et-mesures-daide/loi-concernant-les-soins-de-fin-de-vie/>
- **New Brunswick:** <http://www2.gnb.ca/content/gnb/en/departments/health/patientinformation/content/MedicalAssistanceInDying.html> and <http://en.horizonnb.ca/media-centre/awareness-initiatives/medical-assistance-in-dying.aspx>
- **Nova Scotia:** <http://www.novascotia.ca/dhw/publications/preparing-for-an-expected-death-at-home-brochure.pdf>
- **Prince Edward Island:** <https://www.princeedwardisland.ca/en/information/health-pe/medical-assistance-dying>

Appendix C

Guidelines from Professional Colleges and Associations on MAiD



British Columbia:

Physicians: <https://www.cpsbc.ca/files/pdf/PSG-Medical-Assistance-in-Dying.pdf> and <https://www.cpsbc.ca/files/pdf/PSG-Medical-Assistance-in-Dying-FAQ.pdf>

Nurses: <https://www.crnbc.ca/Standards/resourcescasestudies/beinganurse/MAID/Pages/Default.aspx>

Alberta:

Physicians: <http://www.cpsa.ca/standardspractice/medical-assistance-dying/>

Nurses: <http://www.nurses.ab.ca/content/carna/home/professional-resources/practice-resources/Physician-assisted-death.html>

Saskatchewan:

Physicians: http://www.cps.sk.ca/imis/CPSS/Legislation__ByLaws__Policies_and_Guidelines/Legislation_Content/Policies_and_Guidelines_Content/Medical_Assistance_in_Dying.aspx

Nurses: <https://www.srna.org/17-main-section/340-medical-assistance-in-dying>

Manitoba:

Physicians: <http://cpsm.mb.ca/front-page-column-2>

Nurses: <https://www.crnmb.ca/support/medical-assistance-in-dying>

Ontario:

Physicians: <http://www.cpso.on.ca/Policies-Publications/Policy/Medical-Assistance-in-Dying>

Nurses: <http://www.cno.org/en/trending-topics/medical-assistance-in-dying/>

Quebec:

Physicians: <http://www.cmq.org/page/en/Soins-medicaux-fin-de-vie.aspx>

Nurses: <http://www.oiiq.org/publications/repertoire/aide-medicale-a-mourir-0>

New Brunswick:

Physicians: NOTE: CPSNB/CMCNB repealed their guidelines in June 2016. Currently being handled at the hospital level province-wide.

Nurses: <http://www.nanb.nb.ca/media/resource/NANB-MAID-FAQ-November2016-E.pdf>

Nova Scotia:

Physicians: <http://www.cpsns.ns.ca/DesktopModules/Bring2mind/DMX/Download.aspx?PortalId=0&TabId=129&EntryId=284>

Nurses: <http://crnns.ca/publication/medical-assistance-in-dying-a-guideline-for-nurses/>

Prince Edward Island:

Physicians: <http://cpspei.ca/wp-content/uploads/2017/03/Medical-Assistance-in-Dying-Sept-29-2016.pdf>

Nurses: <http://www.cnps.ca/index.php?page=348>

Newfoundland & Labrador:

Physicians: <https://www.cpsnl.ca/web/CPSNL/News/RevisedMAiDstandardofpractice.aspx?WebsiteKey=5aa40243-c5bc-4d65-8700-ec72b9c7cb44>

Nurses: <https://www.arnnl.ca/arnnl-commentary-medical-assistance-dying-maid-update>

NWT & Yukon

Nurses: <http://www.rnantnu.ca/professional-practice/medical-assistance-dying-maid>

Other Resources

Canadian Medical Association (CMA):

<https://www.cma.ca/En/Pages/education-eol-care-medical-assistance-dying.aspx>

College of Family Physicians of Canada (CFPC):

<http://www.cfpc.ca/ProjectAssets/Templates/Category.aspx?id=10000&terms=MAID>

Canadian Nurses Association (CNA):

<https://www.cna-aic.ca/en/news-room/news-releases/2017/cna-leads-the-development-of-a-national-nursing-framework-on-medical-assistance-in-dying>

Canadian Nurses Protective Society (CNPS):

<http://www.cnps.ca/index.php?page=348>





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