

# MEDICAL ASSISTANCE IN DYING (MAID)

## INTRODUCTION

The Supreme Court of Canada ruled in *Carter vs Canada* (2015) that the Criminal Code would need to be amended to comply with the Canadian Charter of Rights and Freedoms. On Friday, June 17, 2016 Bill C-14 (an Act to amend the Criminal Code relative to medical assistance in dying) received Royal Assent.

## HOW DOES THE LEGISLATION AFFECT MEMBERS?

We are aware that this legislation may be raising concerns for some members.

In relation to your practice, you should be aware that:

- Physicians and Nurse practitioners are the two professions named in the amendment to the Criminal Code who are able (i) to determine if someone is eligible for medical assistance in dying, (ii) to determine if the patient has the capacity to provide informed consent and (iii) to medically assist dying.
- On occasion, members might be the first point of contact for patients who wish to discuss medical assistance in dying. The speech-language pathologist (SLP) or audiologist should refer all inquiries from patients and family regarding MAID to a physician or nurse practitioner.
- SLPs and audiologists will not determine capacity to provide informed consent for MAID.
- SLPs will not be directly involved in the administration of drug protocols for medical assistance in dying.
- Although SLPs and audiologists will not be directly involved in medical assistance in dying, they might be asked to assist a physician or nurse practitioner in the process leading up to MAID in the following areas:
  - Overcoming a communication barrier
  - Providing information regarding swallowing function
  - Being part of an interdisciplinary team to develop policies for MAID

Members are required to practice within their scopes of practice as outlined in the [Audiology and Speech Language Pathology Act, 1991](#) and to follow [CASLPO's Code of Ethics](#) at all times.

## QUESTIONS?

If you have any questions or concerns consult your place of work to see if a policy has been developed. Many hospitals and Long-Term Care homes are developing policies for MAID and have a bioethicist or access to an ethicist who can act as a resource to health care professionals as they navigate this complex, sensitive process.

The Ministry of Health and Long-Term Care has established an email address for general questions about MAID [endoflifedecisions@ontario.ca](mailto:endoflifedecisions@ontario.ca)

You can also phone us here at the College to discuss issues you may have.

Alex Carling, Director of Professional Practice and Quality Assurance

T: 416 975 5347, 1 800 993 9459 extension 226

[acarling@caslpo.com](mailto:acarling@caslpo.com)

## ADDITIONAL RESOURCES

[Government of Canada: Medical Assistance In Dying](#)

[Government of Canada – Legislative Background: Medical Assistance in Dying \(Bill C-14\)](#)

[Bill C-14, an Act to amend the Criminal Code](#)

[Supreme Court of Canada Judgements – Carter vs. Canada](#)

[Ministry of Health and Long-Term Care MAID page](#)

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

[College of Nurses of Ontario \(CNO\) – Guidance on Nurses' Roles in MAID](#)

[Ontario College of Pharmacists \(OCP\) – MAID](#)

The Ministry of Health and Long-Term Care [endoflifedecisions@ontario.ca](mailto:endoflifedecisions@ontario.ca)