Medical aid in dying:  
Information for patients and families

What is medical aid in dying?

Medical aid in dying means that a physician provides or administers medication that intentionally brings about a patient’s death, at the request of the patient. You might have also heard it called “assistance in dying” or “physician-assisted death.”

Why is medical aid in dying now allowed in Canada?

In February, 2015, the Supreme Court of Canada struck down the sections of the Criminal Code that made medical aid in dying illegal for patients who meet specific criteria. On June 6, 2016, medical aid in dying will be legislated by the federal government.

Until June 6, patients who meet the criteria and who wish to obtain medical aid in dying can apply to a Superior Court judge.

What are the criteria?

To be eligible for medical aid in dying, you must:

- Be a competent adult.
- Clearly consent to medical aid in dying.
- Be diagnosed with a grievous and irremediable medical condition which is causing enduring, intolerable suffering.
- Decide that alternative treatment options are not acceptable.

What does competent mean?

A competent person has decision-making capacity. This means you are able to:

- Understand information that is relevant to making a decision about treatment.
- Appreciate the reasonably foreseeable consequences of a decision, or of a lack of a decision.

What does it mean to clearly consent?

You will need to make two requests for medical aid in dying. One of these requests must be in writing. This is so the hospital knows that you are sure about your decision, you have not been forced into your decision, and you have all of the information you need.
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How will requests be assessed?
You will be assessed by at least two independent physicians. Both physicians must agree that you meet the criteria above.

Do I have to undergo treatment first?
No, you do not have to undergo treatment before requesting medical aid in dying.

What if a physician objects to medical aid in dying?
Health-care providers have the right to conscientiously refuse to participate in medical aid in dying based on moral or religious beliefs. If you request medical aid in dying from a physician who objects, you will be referred quickly to a physician who has decided to participate.

Can I write down my wishes for medical aid in dying in case I lose the capacity to make decisions? Or, can family members make the decision for me?
You must be able to ask for medical aid in dying at the time of the request. The request cannot be written down ahead of time and no one else – including family – can make the decision.

It is, however, a good idea to discuss and record your wishes for end of life care with your loved ones so that they understand what is important for you. Medical aid in dying is only one of many options for end of life care, many of which will be available to your loved ones even if you are unable to make decisions.

Can I change my mind?
Yes. You can change your mind at any time, for any reason. Simply tell your physician or a member of your health-care team that you have changed your mind. Your physician will discuss what other options there are for your care, and you can be assured that they will all be high-quality and compassionate.

What if I have other questions?
If you have questions, please discuss them with your physician or with a member of your health-care team. Or, you can contact The Ottawa Hospital Patient Advocacy Department at 613-798-555 ext. 13377 or patientadvocacy@toh.ca.