

## Medical Assistance in Dying (MAiD)



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# Medical Assistance in Dying (MAiD)

This pamphlet is about medical assistance in dying (MAiD) in Nova Scotia.

If you are thinking about MAiD, or have questions about it, it is important to talk with a health care provider who can explain your options, such as:

- › A Medical Doctor (MD)
- › A Nurse Practitioner (NP)
- › Another health care provider (for example, a pharmacist, nurse, spiritual care leader, and/or social worker)

If you do not have a primary health care provider or you have questions about MAiD, you can call and talk with Nova Scotia Health's MAiD Nurse Navigator:

- › **Phone (Halifax area): 902-491-5892**
- › **Phone (toll-free): 1-833-903-6243**

They can give you information about MAiD and/or arrange for you to talk with a health care provider.

## A. What is MAiD?

MAiD is a process where a person who meets a number of criteria is given medications at their request by a qualified health care provider to cause their death.

Canadian law defines Medical Assistance in Dying (MAiD) as:

*“the administering by a medical practitioner or nurse practitioner of a substance to a person, at their request, that causes their death”;* or

*“the prescribing or providing by a medical practitioner or nurse practitioner of a substance to a person, at their request, so that they may self-administer the substance and in doing so cause their own death”.*

## B. Who can have MAiD?

You must be assessed to find out if you are eligible for MAiD. The health care provider doing the assessment must make sure that you meet **ALL** of the following criteria:

1. You have a valid health card from a Canadian province or territory, **or** satisfy other specific residency criteria.
2. You are at least 18 years of age.
3. You are **capable of making decisions** about your health.
4. You have a “grievous and irremediable medical condition.” This means that:
  - › You have a serious and incurable illness, disease, or disability;
  - › You are in an advanced state of irreversible decline, meaning that you will not get better from your medical condition;
  - › The illness, disease, disability, or state of decline causes you physical or psychological suffering that is intolerable (unbearable), that cannot be relieved under conditions that you consider acceptable;
  - › If your death is not reasonably foreseeable\*, you must take part in a 90-day (3-month) evaluation period, during which further assessments will be done by your health care team. **\*“Reasonably foreseeable” means: taking into account all of your medical circumstances, your health care providers can reasonably predict when your natural death will happen.**
5. You are not being pressured or influenced to choose to die by another person.
6. You have given informed consent to receive MAiD after having been informed of your medical diagnosis, available forms of treatment, and available options to try to relieve suffering, including palliative care (see page 9).

## C. Which health care providers can be involved in MAiD?

Medical Doctors (MDs) and Nurse Practitioners (NPs) are the **only** health care providers who can assess patients (MAiD Assessor) and provide MAiD (MAiD Provider).

Other health care providers (such as pharmacists, nurses, spiritual care leaders, and/or social workers) may also be involved, and can support you and your family and friends throughout the MAiD process.

## D. What is the process involved in MAiD?

### 1. Talk to a Medical Doctor (MD) or Nurse Practitioner (NP) to arrange an assessment.

- If you would like to learn more about MAiD, talk with an MD or NP about your options. These options may include a more detailed discussion about your health and illness, a referral to a palliative care specialist/team, psychological support, spiritual care, and/or MAiD.
- If the MD or NP finds that MAiD may be an option for you, they can start the MAiD assessment process themselves, or they can make a written request for a MAiD assessment. Written requests for MAiD assessments are sent to Nova Scotia Health's MAiD Access and Resource Team Office.
- If you do not have an MD or NP, or do not feel comfortable talking with your MD or NP about MAiD, you can call Nova Scotia Health's MAiD Access and Resource Team. The MAiD Access and Resource Team will provide information about MAiD, and can arrange for you to talk with an MD or NP who is familiar with MAiD:
  - › **Phone (Halifax area): 902-491-5892**
  - › **Phone (toll-free): 1-833-903-6243**
  - › Leave a message with your name, phone number, and a brief reason for your call. Messages are checked from 8:30 a.m. to 4:30 p.m., Monday to Friday. Your call will be returned within 1 to 2 business days.

### 2. Be assessed for eligibility for MAiD.

- Two MDs, two NPs, or one of each must **each** determine on their own whether you meet the eligibility criteria for MAiD. They must each do their own separate assessment of your eligibility. **These assessments are required by law.**
- If your death is not reasonably foreseeable, one of your MAiD Assessors must have expertise in your medical condition. If they do not have expertise in your condition, they will consult a health care provider who does have this expertise. They will talk with you about this during the assessment process.

- The first MAiD Assessor (if it is not your own MD or NP) will contact you and arrange to meet you at a time and place of your choosing to talk about MAiD, and to start the process.
- At the first visit, the MAiD Assessor will talk with you about your health history and why you are considering MAiD. They will determine whether you meet the criteria (section B on page 2), and will take the time needed to answer all of your questions.
- A second MAiD Assessor will then do their own assessment, similar to the first assessment, as soon as possible.
- It can take time to coordinate the assessment process, depending on your situation. The MAiD Nurse Navigator will guide you through this process, and give you an estimated wait time.
- If the first and second MAiD Assessors do not agree that you meet the criteria for MAiD, you may ask that more assessments be arranged.

### **3. Complete the written MAiD consent forms.**

- During the first or second assessment, you will be asked to sign request and consent forms. **You must complete these forms before MAiD can take place.** One of the MAiD Assessors will guide you through this process.
- You must sign and date the forms with one independent witness present. The independent witness must also sign the forms. An independent witness is any person at least 18 years old, who:
  - › understands the nature of your request for MAiD.
  - › does not stand to benefit from your death (will not inherit from your estate or be named in your will).
  - › is not the owner or operator of any health care facility at which you are being treated, or any facility in which you live.
  - › is not a MAiD Assessor involved in your MAiD assessments or procedure.

**Note:** A member of your health care team (such as a nurse, social worker, etc.) who meets the above criteria can act as your witness. An unpaid caregiver cannot act as your witness.

#### 4. Plan for the MAiD procedure.

- Once your eligibility for MAiD has been confirmed, the MAiD Nurse Navigator and the MAiD Assessors will work with you to plan the next steps. One of the MAiD Assessors will take on the role of the MAiD Provider. This will be discussed with you.
- **If your natural death is reasonably foreseeable**, there is no defined waiting period before you can have your procedure. It will take time to choose the day and location of the procedure, confirm MAiD Provider availability, and get the medications needed. This can take several days to a few weeks to coordinate.
- You may or may not have a date and time in mind for MAiD. You may choose to wait for a period of time before acting on your request for MAiD. **This decision is entirely up to you and you may change your mind at any time.** If you decide to change the date or time of your procedure, we will work with you to make the necessary arrangements. **Note: MAiD is not available 24 hours a day, 7 days a week and cannot be arranged right away.**
- **If your death is not reasonably foreseeable**, there is a mandatory (required by law) 90-day period of further evaluation by your health care team that starts after your first assessment. This may include discussions about your health to make sure you have information about and access to services that could help lessen your suffering. The MAiD Assessors will talk with you about this during the assessment process.

#### 5. Plan the specific details of the MAiD procedure.

- The MAiD Nurse Navigator and the MAiD Provider will work with you (and any family and friends that you wish to involve) to plan the day, time, and location of the MAiD procedure.
- Some people prefer to have MAiD at home, and some do not. You can choose to have MAiD at:
  - › Your home or the home of a friend or family member
  - › A Nova Scotia Health facility
  - › A home for special care, such as a nursing home
  - › A hospice
- Your MAiD Nurse Navigator, and MAiD Provider will talk with you about who you would like to be present at the time of the MAiD procedure.
- Shortly before MAiD happens, one intravenous (IV) will be put in each of your arms by a health care provider.
- On the day of the procedure, the MAiD Provider will confirm that you consent (fully agree) to the procedure, **unless you have signed an *Advance Request form* (see page 6).**
- After this final confirmation, the MAiD procedure can take place.

- During the procedure, several medications are injected (given by a needle) through the IV. The injections do not hurt. The first medication will cause you to fall into a deep sleep, after which you will become unaware and stay unaware until your death.
- Oral (taken by mouth) liquid medications that you take yourself may be an option. Talk about this with your MAiD Assessors, or with the MAiD Nurse Navigator, if you would like more information.

## **E. Frequently Asked Questions (FAQs):**

### **Can I ask for MAiD in my personal directive?**

**No.** Written directives about MAiD are not allowed.

### **Can a person ask for MAiD for another person?**

**No.** A request for MAiD must be made by the person requesting the MAiD procedure. By law, no one can make a request for MAiD for another person.

### **Do I have to consult with my family or friends about a decision to have MAiD?**

**No.** As with all health care decisions, it is up to you to choose whether to talk with your family members or friends about your decision. However, it is important that you tell the people who may need to make health care decisions (or other decisions) on your behalf about your wishes.

### **If I lose capacity (am no longer able to make decisions about my health care), can I still receive MAiD?**

You must provide written consent before you receive MAiD. If the MAiD Assessors feel that you are at risk of losing the ability to make decisions about your health care (“losing capacity”), they will talk with you about completing an *Advance Request form*. This means that you would agree to have MAiD on a specific date, even if you have lost the ability to make health care decisions by that date. This option is **only** available to people whose natural death is reasonably foreseeable.



## **Can I change my mind about going ahead with MAiD?**

**Yes.** You can change your mind at any time, right up until the moment that the medications are given. Right before receiving MAiD, the MAiD Provider will ask you again if you still want to go ahead, **unless you have signed an *Advance Request form***. If you have lost capacity, these details will be confirmed with the person making decisions on your behalf (your substitute decision maker).

## **Will my discussions about MAiD be confidential (kept private)?**

All discussions about MAiD with health care providers are confidential. Health care providers must document (keep track of) information and discussions about MAiD in your health record. All of this information is personal health information protected by the *Personal Health Information Act*. For more information, visit:

- › [https://nslegislature.ca/legc/bills/61st\\_2nd/3rd\\_read/b089.htm](https://nslegislature.ca/legc/bills/61st_2nd/3rd_read/b089.htm)

Nova Scotia Health will not share your health information, including your discussions and your decision about MAiD, unless you consent (in writing) to share that information.

## **The following people can access your health information:**

- › If you lose capacity, the person(s) with the legal authority to make health care decisions on your behalf (for example, a delegate appointed under the *Personal Directives Act*) will have access to your health information to make decisions on your behalf. In this role, this person may request a copy of your health record. They could then be aware of your discussions and your decision about MAiD.
- › Executors of your estate are legally allowed to request a copy of your health record after your death.
- › Under the *Personal Health Information Act*, family members are allowed to request recent information about your care, unless you have given instructions that they are not to have access to that information. This means that unless you gave instructions to Nova Scotia Health NOT to release this information, family members may become aware of your discussions and your decision about MAiD.

In Nova Scotia, death certificates do not include information that refers to MAiD, or the medical condition(s) resulting in the request for MAiD.

## **Can I have MAiD if I am suffering from a mental illness?**

**No.** If you have a mental illness as your ONLY medical condition, you are not eligible for MAiD.

## **Will having MAiD affect my insurance policy?**

**No.** Death by MAiD is considered a natural death. Insurance contracts will be honoured as long as MAiD is consistent with (follows) the law.

## **Is there a fee to request or receive MAiD?**

**No.** There is no fee to request or receive MAiD. Medication costs are covered by your provincial health plan (MSI), whether the MAiD procedure is done in a health care facility or at home.

## **Where can I learn more?**

### **MAiD**

- **Government of Canada**
  - › [www.canada.ca/en/health-canada/services/medical-assistance-dying.html](http://www.canada.ca/en/health-canada/services/medical-assistance-dying.html)
- **Nova Scotia Health**
  - › [www.nshealth.ca/maid](http://www.nshealth.ca/maid)

### **Advance Care Planning**

- **Preparing for Death and Dying: A Guide for People with Life-Limiting Illness, Their Families and Their Friends**
  - › [www.nshealth.ca/documents-and-reports/preparing-death-and-dying-guide-people-life-limiting-illness-their-families](http://www.nshealth.ca/documents-and-reports/preparing-death-and-dying-guide-people-life-limiting-illness-their-families)
- **Advance Care Planning Canada – Canadian Hospice Palliative Care Association**
  - › [www.advancecareplanning.ca/resource/nova-scotia](http://www.advancecareplanning.ca/resource/nova-scotia)
- **Canadian Virtual Hospice**
  - › [www.virtualhospice.ca](http://www.virtualhospice.ca)

## What other options are there to lessen my suffering and/or receive end-of-life medical care?

If you are considering MAiD, and your natural death is reasonably foreseeable, you may wish to ask your health care provider about palliative care.

The goal of palliative care is to improve the quality of life of people with life-limiting illnesses and to help their families.

Your primary health care provider may work with the palliative care team and other health care providers to help you and your family understand and manage your illness and symptoms.

**Choosing MAiD does not prevent you from accessing palliative care.** Your MAiD team and your palliative care team can work together to care for you.

## F. Glossary

<b>MAiD Assessor</b>	<p>A Medical Doctor (MD) or Nurse Practitioner (NP) who is licensed under an act of Nova Scotia specific to their profession, to complete MAiD assessments and provide MAiD.</p> <p><b>College of Physicians &amp; Surgeons of Nova Scotia:</b></p> <ul style="list-style-type: none"><li>› <a href="https://cpsns.ns.ca/wp-content/uploads/2016/06/Medical-Assistance-in-Dying-Standard.pdf">https://cpsns.ns.ca/wp-content/uploads/2016/06/Medical-Assistance-in-Dying-Standard.pdf</a></li></ul> <p><b>Nova Scotia College of Nursing:</b></p> <ul style="list-style-type: none"><li>› <a href="http://www.nscn.ca/professional-practice/practice-support/practice-support-tools/medical-assistance-dying-MAiD/medical-assistance-dying-practice-guideline-nurses">www.nscn.ca/professional-practice/practice-support/practice-support-tools/medical-assistance-dying-MAiD/medical-assistance-dying-practice-guideline-nurses</a></li></ul>
<b>Family/ Primary support person</b>	<p>A person(s) who is related (biologically, legally, emotionally, etc.) to the patient. This includes immediate relatives and others in the patient’s support network. Family may include extended family, partners, friends, advocates, guardians, and others.</p> <p>Each patient has the right to choose their Family/Primary support person(s). They have the right to include or not include family members in their care, and change who they have identified as their family over time.</p>

<b>Health care provider</b>	For the purpose of this document, health care provider means a medical doctor (MD), Nurse Practitioner (NP), Registered Nurse (RN), Licensed Practical Nurse (LPN), Pharmacist, Social Worker, Spiritual Care leader, or unregulated (not licensed or regulated by government) health care provider.
<b>Independent witness</b>	<p>An independent witness is a person who is at least 18 years of age and who understands the nature of the patient’s request for MAiD. Anyone who meets these criteria may act as an independent witness, unless they:</p> <ul style="list-style-type: none"> <li>› know of or believe that they are a beneficiary under the will of the patient, or a recipient, in any other way, of financial or other material benefit resulting from the patient’s death.</li> <li>› are an owner or operator of any health care facility at which the patient is being treated or any facility in which the patient lives.</li> <li>› are an MD or NP (MAiD Assessor) involved in your MAiD assessments or procedure.</li> </ul> <p><b>Note:</b> A member of your health care team (such as a nurse, social worker, etc.) who meets the above criteria can act as your witness. An unpaid caregiver cannot act as your witness. Contact the MAiD Nurse Navigator if you have questions or concerns about witnessing forms, including the availability of witnesses.</p>
<b>MAiD Nurse Navigator/ Nurse Navigator</b>	A Nova Scotia Health employee who works with the MAiD Medical Affairs Advisor, MAiD Medical Director, and health care providers to plan, carry out, and evaluate (assess) the delivery of MAiD. They are responsible for informing patients, families, and health care providers about the MAiD process. They work closely with health care providers to address the needs of each patient and their family.
<b>MAiD procedure</b>	The action that takes place on the day you receive medications to bring about your death.

<b>MAiD Provider</b>	A Medical Doctor (MD) or Nurse Practitioner (NP) who is licensed to complete MAiD assessments and provide MAiD under an act of Nova Scotia, specific to their profession.
<b>Medical Assistance in Dying (MAiD)</b>	MAiD is a process where a person who meets a number of criteria is given medications at their request by a qualified health care provider to cause their death. There are 2 types of MAiD available to Canadians: 1. the administering by a Medical Doctor or Nurse Practitioner of a substance to a person, at their request, that causes their death, 2. the prescribing or providing by a Medical Doctor or Nurse Practitioner of a substance to a person, at their request, so that they may self-administer (give to themselves) the substance (oral liquid medications) and in doing so cause their own death.
<b>Patient</b>	A person who receives or has requested health care or services from Nova Scotia Health and its health care providers.
<b>Primary/Most Responsible Health Care Provider</b>	The health care provider (Medical Doctor, Nurse Practitioner, or specialist) who is most responsible for coordinating the patient's health care. This is usually the primary health care provider (family doctor or Nurse Practitioner) who orders tests, coordinates health care, makes referrals (as needed), and maintains the patient's medical records.

## MAiD Access and Resource Team Office

Phone (toll-free): 1-833-903-6243

Phone (Halifax area): 902-491-5892

Fax: 902-454-0379





**Looking for more health information?**

Find this pamphlet and all our patient resources here: <https://library.nshealth.ca/PatientEducation>

Contact your local public library for books, videos, magazines, and other resources.

For more information, go to <http://library.novascotia.ca>

Connect with a registered nurse in Nova Scotia any time: call 811 or visit <https://811.novascotia.ca>

Learn about other programs and services in your community: call 211 or visit <http://ns.211.ca>

*Nova Scotia Health promotes a smoke-free, vape-free, and scent-free environment.*

*Please do not use perfumed products. Thank you!*

[www.nshealth.ca](http://www.nshealth.ca)

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The information is not intended to be and does not constitute health care or medical advice.  
If you have any questions, please ask your health care provider.