

Medical Assistance in Dying (MAID)

How does Bill C-7 affect me?

On March 17, 2021, Bill C-7 received Royal Assent, amending the 2016 Medical Assistance in Dying legislation, mainly modifying eligibility criteria and safeguards in response to the Superior Court of Québec's 2019 *Truchon* decision.

The law maintains the ability of an individual whose natural death is reasonably foreseeable, with revisions to conditions, to receive medical assistance in dying (MAID) but also added provisions that no longer require a person's natural death to be reasonably foreseeable as an eligibility criterion for MAID.

The new law is designed to address the diverse sources of suffering and vulnerability that could lead to a person to ask for MAID if their natural death is not reasonably foreseeable.

For information on the specific amendments to the MAID law, please **refer to the following site:** <https://www.canada.ca/en/health-canada/services/medical-assistance-dying.html>

If you will be or have **submitted a formal request (a Record of Request) for MAID on or after March 17, 2021**, the new legislation will apply to you. Once your formal request has been received, you will be assessed by two different independent practitioners to determine if you meet all eligibility criteria and that all the safeguards (both set out by the federal legislation) are met.

If you have **submitted a formal request for MAID prior to March 17, 2021**, and:

- 1) you would like to continue to pursue MAID and are currently in the process of being assessed OR have already been assessed and found eligible:
 - you will continue with the previous process for assessments and provisions (including the previous eligibility criteria and safeguards), however you **may** be eligible for the Waiver of Final Consent. A Waiver of Final Consent allows persons whose natural death is reasonably foreseeable to enter into an agreement with their medical practitioner or nurse practitioner to provide MAID despite losing capacity to consent to MAID immediately prior to the provision. Your MAID Care Navigator can provide you with further information and requirements regarding the Waiver of Final Consent.
- 2) you have already been assessed but found ineligible:
 - you **may** now be eligible under the new criteria. If you would like to be reassessed for MAID, a new Record of Request will need to be completed and you will be assessed under the new eligibility criteria and safeguards as outlined in Bill C-7.
- 3) you have made the decision to no longer pursue MAID:
 - no further action is required from you at this time. If you decide at a later date to pursue MAID, a new Record of Request will need to be completed and you will be assessed under the new eligibility criteria and safeguards as outlined in Bill C-7.

Please remember that despite the legislative changes it can still take time to process requests, coordinate assessments and plan MAID provisions. We will continue to do our best to support you through this process. If you have any questions, please contact the MAID Care Coordination Team at maid.careteam@ahs.ca.