



POLICY & PROCEDURE MANUAL

Subject: MEDICAL ASSISTANCE IN DYING(MAID)	
Department: ADMINISTRATION	Approved By: CHIEF EXECUTIVE OFFICER
Effective Date: DECEMBER 5, 2017	Supersedes: NEW

PURPOSE

This policy provides direction to staff regarding resident access to Medical Assistance in Dying, (MAID) acknowledging that under the Canadian Charter of Rights and Freedoms individuals are granted the right to autonomy over the decision to end their own lives, when they meet legislated criteria.

DEFINITIONS

Assessment Process: The process for examination of the medical condition of a resident so that all appropriate and available therapeutic options for the resident can be identified, and the resulting consultation with a resident on those therapeutic options available to the residents to address the resident's health and medical needs, including the assessment of the resident by an Authorized Practitioner in accordance with the MAID Clinical Guide to determine whether the resident meets the MAID Criteria.

Authorized Practitioner: A Medical Practitioner or Nurse Practitioner who has been granted privileges by the WRHA Chief Medical Officer (CMO) to provide MAID.

Resident: Any resident who expresses an interest in having MAID provided to them.

Conscientious Objector: Any person who is subject to this policy who expresses any reservation with respect to providing information about MAID or participating in any aspect of MAID, on the basis that such action would violate a personal, deeply held moral, ethical or religious value.

Grievous and Irremediable Medical Condition: A condition of a resident that meets all of the following criteria:

- a. the resident has a serious and incurable illness, disease or disability;
- b. the resident is in an advanced state of irreversible decline in capability;
- c. that illness, disease or disability or that state of decline causes the resident enduring physical or psychological suffering that is intolerable to the resident and that cannot be relieved under conditions that the resident considers acceptable; and
- d. the resident's natural death has become reasonably foreseeable, taking into account all of the resident's medical circumstances, without a prognosis necessarily having been made as to the specific length of time that the resident has remaining.

MAID or Medical Assistance in Dying: The administering by a Medical Practitioner or Nurse Practitioner of a substance to a person, at that person's request, that causes death; or the prescribing or providing by a Medical Practitioner or Nurse Practitioner of a substance to a person, at that person's request, so that they may self-administer the substance and in doing so cause their own death. For certainty, MAID does not include the Assessment Process.



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MAID Clinical Guide: Clinical guide for the manner of performance of the Assessment Process and the provision of MAID, including guidance on the MAID Criteria, and the clinical and administrative procedures to be followed, as may be approved from time to time by the WRHA CMO and by the Provincial Medical Leadership Council. Upon request to the MAID Provincial Team, this resource can be made available.

MAID Criteria: The resident:

1. Is 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;
2. Is at least 18 years of age and capable of making decisions with respect to his or her health;
3. Has a grievous and irremediable medical condition;
4. Has made a voluntary request for MAID that, in particular, was not made as a result of external pressure; and
5. Has given informed consent to receive MAID after having been informed of the means that are available to relieve their suffering, including palliative care.

Medical Practitioner: a person who is entitled to practice medicine under the laws of Manitoba.

Nurse Practitioner: A registered nurse who, under the laws of Manitoba, is entitled to practice as a nurse practitioner – or under an equivalent designation – and to autonomously make diagnosis, order and interpret diagnostic test, prescribe substances and treat patients.

Provincial Medical Assistance in Dying Team: The Provincial MAID team is authorized to provide medical assistance in dying within all provincial health facilities. The Provincial MAID team is available to facilitate medical assistance in dying throughout the province.

Staff: All persons employed or engaged by Betel Home Foundation, including physicians, volunteers, board members, students, and other individuals associated through legal contracts, while acting in that capacity, or on behalf of Betel Home Foundation.

POLICY

Recognized Procedure – MAID is recognized as a medical procedure to the extent that it is permitted by the law, and as one of a number of medical procedures and therapeutic services which are available to individuals who are suffering from a grievous and irremediable medical condition.

Availability – MAID shall be made available for provision to residents, who have been assessed as being eligible. Betel Home Foundation will ensure the policy, including procedures for responding to requests for MAID and for providing information about MAID are easily accessible and available to the public.



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Access to MAID information – Where a resident or a member of their family expresses an interest in the provision of MAID, requests information about MAID, or otherwise pursues the Assessment Process and/or the provision of MAID, staff shall provide to the resident or family member timely access to a resource that will provide accurate information about MAID.

Assessment – The Assessment Process to determine eligibility of a resident for the provision of MAID shall be completed by the Provincial MAID Team supported by the Winnipeg Regional Health Authority (WRHA). Any resident who does not fully satisfy the MAID Criteria shall be informed of and referred to alternative and appropriate therapeutic medical services that may be available.

Provision of MAID – The provision of MAID shall be completed by an Authorized Practitioner who has been granted privileges by the WRHA CMO to provide MAID in compliance with the MAID Clinical Guide.

Compliance – All staff who may be providing healthcare or medical services to residents shall comply at all times with this policy in respect of any inquiry or request for MAID, the conduct of the Assessment Process, the MAID procedure and any efforts or activity in connection with the foregoing.

No Retaliation – Where a resident, or a member of the family of the resident, expresses an interest in the provision of MAID, requests information on MAID, or otherwise pursues the Assessment Process and/or the provision of MAID, staff shall not:

- take or threaten any discriminatory or retaliatory action against the resident;
- take or fail to take any action which may or does result in the reduced availability or diminution of the level of healthcare services provided to the resident; or
- cause the resident to be discharged or transferred to another healthcare facility, except in accordance with a documented treatment plan approved for the resident or for the purposes of the provision of MAID.

Patients, residents and families may utilize the Betel Home Complaint Form or the Interlake-Eastern RHA Consumer Comments process to communicate concerns regarding discrimination or retaliatory actions. All concerns will be investigated in a timely fashion.

Conscientious Objector – A Conscientious Objector shall not be required to provide any information about MAID or to participate in an Assessment Process or in any aspect of MAID. However, this does not relieve the staff from obligations to comply with the requirements of their applicable professional college or regulatory authority and to provide to the resident or family member timely access to a resource that will provide accurate information about MAID.

No adverse action shall be taken against any person for providing, or refusing to provide, any aspect of MAID, in accordance with this policy



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Where a resident or a family member of a resident expresses to caregivers an interest in the provision of MAID, health care providers will provide information about MAID.

Staff will assist a resident or a family member of a resident who expresses an interest in pursuing MAID by reviewing options:

1. Resident or family member may make direct contact with the Provincial MAID Team. Staff will provide the contact information: www.wrha.mb.ca/maid ; email – maid@wrha.mb.ca ; phone (204)926-1380.
2. Or, staff may initiate a referral to the provincial MAID Team on behalf of the resident or family member.

Where a resident or a family member of a resident request their health care provider to initiate a referral to the Provincial MAID Team, the health care provider will ensure the necessary information is copied to the Betel Home Foundation CEO or designate who will also copy the information to the Interlake-Eastern RHA CEO or designate. The Interlake-Eastern RHA CEO will forward the referral to the WRHA CMO or designate of the Provincial MAID Team. The Provincial MAID Team is responsible for the Assessment Process, determining eligibility and the provision of MAID.

- In the event that staff has not heard confirmation that the MAID request has been received, staff is required to escalate (to again bring forward) the request, including notifying your supervisor.

A person subject to this policy shall:

- not impose their own views and values onto the resident requesting MAID, or their family, nor use their position to influence, judge or discriminate against persons whose values are different from their own;
- respect the autonomy and dignity of the resident being cared for;
- not suggest, counsel, encourage or coerce a person to seek or not seek MAID; and
- continue to provide the health and medical services required by the resident, until the Provincial MAID Team arrives at the facility to provide MAID.

A staff member who invokes conscientious objector status shall file their objection in writing to their manager with a copy to the CEO. A Conscientious Objector will not be expected to actively participate in providing information about MAID or support the MAID process. A Conscientious Objector shall provide to a resident or family member timely access to a resource that will provide information about MAID.

Residents receiving MAID and their family members will be provided a private and/or quiet room in the facility, if circumstances allow.



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Following the death of the resident, the facility staff or family notifies the funeral home and discharge summary is completed as per normal process.

The MAID Team completes the death certificate in accordance with any applicable governmental guidelines.

Documentation is completed throughout the steps of the process as per normal practice.

REFERENCES

Criminal Code of Canada.

College of Physicians and Surgeons of Manitoba, By-Law No. 11, Schedule M, <http://cpsm.mb.ca>.

Statement on Medical Assistance in Dying by the College of Registered Nurses of Manitoba, the College of Licensed Practical Nurses of Manitoba, and the College of Registered Psychiatric Nurses of Manitoba, www.crnmb.ca.

College of Pharmacists of Manitoba - Position on Medical Assistance in Dying (MAID).

Canadian Nurses Association - National Nursing Framework On medical Assistance in Dying in Canada, 2017, www.cna-aiic.ca.

Manitoba College of Social Workers - Medical Assistance in Dying (MAID): Information Summary, <https://mcsww.ca/>.

Manitoba Health, Seniors and Active Living - Policy 200.33 Medical Assistance in Dying (MAID), January 2017.

*Winnipeg Regional Health Authority (WRHA) Policy Medical Assistance in Dying [Interim] Dec 22, 2016.
Interlake Eastern Regional Health Authority Policy Medical Assistance in Dying Nov 23, 2017.*

Supplemental Documents

Medical Assistance in Dying Information for Residents/Families Brochure.

Medical Assistance in Dying Information for Health Care Professionals Brochure.