

Patient information

Medical assistance in dying





Medical assistance in dying

You have the right to request medical assistance in dying if you are suffering from a serious health problem from which you will not recover.

What is medical assistance in dying?

Medical assistance in dying is provided by a physician or nurse practitioner.

If your request is eligible, they may:

- Administer a medication that will cause your death peacefully;
- Prescribe a medication for you that will cause your death peacefully. You will be able to take that medication yourself.

When can you request medical assistance in dying?

- When you are suffering from a serious health problem from which you will not recover;
- When your illness is at an advanced stage and you will not recover;
- When your suffering is constant and unbearable and cannot be relieved in any way that you find acceptable.

Examples:

- Terminal cancer
- Advanced amyotrophic lateral sclerosis (ALS)
- Advanced cardiac or pulmonary disease
- Other

Who can receive medical assistance in dying in New Brunswick?

You can receive medical assistance in dying if you meet all the criteria below:

- You are 18 years of age or over;
- You're capable of making decisions about your health;
- You're eligible for publicly funded health care services in Canada;
- You have serious health problems from which you will not recover;
- You voluntarily request medical assistance in dying, with no pressure from others;
- You're able to understand the information about medical assistance in dying;
- You're able to give informed consent.

Exclusions

- Individuals suffering from mental illness (not accompanied by a physical illness);
- Requests for medical assistance in dying made in advance (e.g. through a living will or through health care directives).

What are your rights?

You have the right to:

- Receive medication to relieve your suffering;
- Refuse care or stop treatment that is underway; this includes the choice to refuse medications, food and fluids;
- Receive drugs that will keep you unconscious in order to relieve your suffering until you die;
- Request medical assistance in dying;
- Choose to die at home or in hospital.

What can you do if you're unable to sign the request?

If you're physically unable to sign the request for medical assistance in dying form, another person aged 18 years or more who is not a beneficiary of your estate and that you trust can do so on your behalf, in your presence and at your request.

What can you do if your request is rejected?

- **Not eligible:** If your request is rejected because the physician or nurse practitioner determines that you are not eligible for medical assistance in dying, you may ask for your file to be evaluated by another physician or nurse practitioner.
- **Incapable of making decisions about your health:** If the physician or nurse practitioner determines that you're incapable of making decisions about your health, you can seek legal advice.

REQUESTING INFORMATION on medical assistance in dying

1 You ask a physician or nurse practitioner for medical assistance in dying in a **free and informed way**.

2 The physician or nurse practitioner **explains** medical assistance in dying to you as well as your **other options**, such as pain management, palliative care and sedation

★ *A physician or nurse practitioner who has conscientious objections directs you to another physician or nurse practitioner or to Tele-Care (811).*

3 You **consider** the information you are given and your options.

★ *You and your family can request psychological, social or spiritual support at any point in the process.*

MAKING A WRITTEN REQUEST

4 If, after careful consideration, you wish to receive medical assistance in dying, you **complete and sign a request** for medical assistance in dying form before one witness.

★ *If you're physically unable to sign the form, a third party may do so on your behalf.*

5 Two professionals (physicians or nurse practitioners) confirm that you're capable of deciding and **are eligible**.

GIVING CONSENT

6 If your request is **accepted**, you must sign the **consent form** before one witness to again confirm your wish to receive medical assistance in dying.

PREPARING for medical assistance in dying

★ **You have the right to change your mind at any time.**

7 You will **decide how** medical assistance in dying is provided to you, either:

a) by a **physician or nurse practitioner** in hospital or at your home.

b) By **you** taking a medication prescribed for you by a physician or nurse practitioner.

8 If you're at risk of **losing your capacity to consent**, you can sign a form that allows you to receive medical assistance in dying even if you're no longer able to give your final consent.

★ *This option only applies to people whose natural death is reasonably foreseeable.*

9 **Reasonably foreseeable natural death:** You can receive medical assistance in dying at the time of your choosing once the procedure of your request is completed.

Natural death not reasonably foreseeable: There must be a period of at least 90 days between the day your eligibility assessment begins and the day when you receive medical assistance in dying.

THE DAY medical assistance in dying is provided

10 Before the procedure begins, you will **confirm a last time**, verbally, that you wish to receive medical assistance in dying, unless you have lost your ability to consent and have previously declined in writing your right to final consent.

11 Medical assistance in dying is then provided to you.

Who can be your independent witness?

Anyone who is at least 18 years of age and who understands the nature of your request for medical assistance in dying may be your independent witness. *e. g.: A nurse on your care team or someone you trust who is not a beneficiary of your will.*

Who cannot be your independent witness?

- Anyone who will inherit from you or who will receive a material benefit or money on your death;
- Anyone who owns the facility where you live or who manages that facility;
- A physician or nurse practitioner who participates in your assessment or provides medical assistance in dying;
- Anyone who provides you with health care or personal care for which they are not being paid.

Who should you talk to?

Discuss medical assistance in dying with:

- A physician or nurse practitioner and ask them what your options are;
- The members of your family, to help them understand your wishes and prepare them for your death.

NB: You can (at your request) be referred to a social worker, psychologist, spiritual care worker, etc.

If you prefer to discuss medical assistance in dying with someone else, you can call Tele-Care at 811 for more information.

Can you donate your organs if you receive medical assistance in dying?

To determine whether organ donation is an option, you must speak to the doctor or nurse practitioner.