

November 12, 2024

Position statement on Quebec's implementation of advance requests for medical assistance in dying (MAID)

Background

In June 2023, Quebec's National Assembly adopted [Bill 11, An Act to amend the Act respecting end-of-life care and other legislative provisions](#), permitting people with serious and incurable illnesses such as Alzheimer's disease and other dementias to make advance requests for medical assistance in dying (MAID).

Over the course of the last year, the Government of Quebec called on the federal government to modify the Criminal Code of Canada in support of Quebec's Bill 11 and authorize advance requests for MAID.

On October 30, 2024, the Quebec government began implementing the provisions relating to advance requests for MAID. The federal government has said [that while it will not challenge Quebec's law allowing advance requests MAID, advance requests remain an offence under the Criminal Code](#). For its part, [Quebec has issued a directive indicating that provincial prosecutors will not pursue charges against health-care professionals who fulfill advance requests for MAID](#).

The federal government has indicated that while it is not currently prepared to amend the Criminal Code, it [will launch a national consultation in November 2024](#) to hear from people living with illnesses, their care partners, and health-care professionals. This consultation will conclude in January 2025 with the release of a report in March 2025.

Alzheimer Society of Canada's position

The Alzheimer Society of Canada supports the Government of Quebec's efforts to implement and expand access to MAID as outlined in Bill 11. We support the right of people living with dementia to have autonomy over decisions affecting their health and life, including making an advance request for MAID while they are still able.

We recognize that planning for MAID must be an informed choice made in consultation with licensed health professionals and with careful policy, procedures, and safeguards for vulnerable people. We also recognize the need for adequate resources and supports for advance care planning, professional counselling, and access to quality long-term care and



palliative care. The Alzheimer Society of Canada looks forward to engaging with the federal government's consultative process and advocating for people living with dementia, their care partners, and their families.

Additional Information

- The Alzheimer Society of Canada upholds its support of the recommendations in the February 2023 report from Parliament's Special Joint Committee on Medical Assistance in Dying (MAID). This second report provides additional insights and recommendations regarding requests in complex circumstances, including advanced requests.
- The Alzheimer Society of Canada remains supportive of the committee's recommendation that advance requests be permitted as part of end-of-life care planning [under certain circumstances](#).
- The Alzheimer Society of Canada remains supportive of the position that people living with dementia should have the right to choice in their advance care planning, and we believe this committee recommendation will help support that.
- We recognize that planning for a medically assisted death must be an informed choice. Our federal, provincial and territorial governments must ensure access to high-quality community and home care, long-term care, and palliative care, so that a person living with dementia has access to a full range of quality care options for end-of-life care planning.
- End-of-life and care-planning decisions are deeply personal, and reflect the unique perspectives, experiences and values of an individual. There are a diverse range of perspectives on advance requests and medically assisted death among people living with dementia. Each person living with dementia should be afforded the right to plan for what feels right for them.
- The Alzheimer Society of Canada remains supportive of a person's individual and unique values when it comes to their own care planning. We look forward to engaging with the federal government's consultative process in November. We want to ensure that advance requests for MAID are legally accessible in complex circumstances, particularly for people living with dementia.
- Legislation, policies, and processes resulting from these recommendations **must include the voices of people affected by dementia**. We strongly recommend that the Minister of Health make a point of consulting people living with dementia, their caregivers, and their families. In addition, different demographics of people living with



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dementia must be consulted, as diverse perspectives must be taken into account.

- The Alzheimer Society of Canada expects that expanding MAID to include advance requests in complex circumstances will result in federal and provincial governmental safeguards for vulnerable people.
- We support funding for clinician education and training in the ethical and thoughtful application of MAID and end-of-life care planning; we believe this will help support people living with dementia.
- We urge the federal government to swiftly legislate and implement the Parliament's Special Joint Committee on Medical Assistance in Dying (MAID) report recommendations on advance requests. Additionally, we encourage provinces and territories to work together to enact the legislation as soon as possible.



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