



News Release

For Immediate Release

Government of Canada proposes changes to medical assistance in dying legislation

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Ottawa - Department of Justice Canada

Medical assistance in dying (MAID) is a complex and deeply personal issue.

Today, the Honourable David Lametti, Minister of Justice and Attorney General of Canada, the Honourable Patty Hajdu, Minister of Health, and the Honourable Carla Qualtrough, Minister of Employment, Workforce Development and Disability Inclusion, announced the introduction of a bill, which proposes changes to Canada's *Criminal Code* provisions on MAID.

The Bill would:

1. remove the requirement for a person's natural death to be reasonably foreseeable in order to be eligible for MAID
2. introduce a two-track approach to procedural safeguards based on whether or not a person's natural death is reasonably foreseeable
 - a. existing safeguards will be maintained and certain ones will be eased for eligible persons whose death is reasonably foreseeable
 - b. new and modified safeguards will be introduced for eligible persons whose death is not reasonably foreseeable
3. exclude eligibility for individuals suffering solely from mental illness
4. allow waiver of final consent for eligible persons whose natural death is reasonably foreseeable and who may lose capacity to consent before MAID can be provided
5. expand data collection through the federal monitoring regime to provide a more complete picture of MAID in Canada

The introduction of this Bill would respond to the Superior Court of Québec's September 2019 *Truchon* decision by allowing individuals who are not nearing the end of their lives to be eligible to receive MAID. The amended procedural safeguards would require practitioners to take appropriate steps to ensure that, in non-end-of-life cases, the request for MAID is fully informed and considered, and that individuals making the request have given serious consideration to reasonable and available treatment options.

The Bill also reflects emerging societal consensus and was informed by views and concerns raised by Canadians, experts, practitioners, stakeholders, Indigenous groups, as well as provinces and territories during the January and February 2020 consultations. It is also informed by the past four years of experience with MAID in Canada.

The Government of Canada would continue to work closely with provinces and territories, health system partners, and health practice regulatory bodies to support the implementation of the proposed changes to the legislation, if passed by Parliament. This includes the development of monitoring, reporting, best practices, and guidance for the MAID regime. In addition, the federal government will work with provincial and territorial partners to enhance disability support.

Other important questions relating to MAID in Canada—such as advance requests for persons newly diagnosed with a condition that could affect their decision-making capacity in the future, eligibility for persons suffering solely from mental illness and eligibility for mature minors—could be considered during a broader parliamentary review of MAID legislation expected to begin by June 2020.

Quotes

“Medical assistance in dying is a deeply personal issue that touches real people and real families. Canadians have shown us during the consultations just how important this issue is to them. We are proud to announce proposed changes that have been informed by their views as well as by Canada’s experiences to date in implementing the 2016 medical assistance in dying regime. The proposed amendments aim to reduce suffering, while also supporting individual autonomy and freedom of choice.”

*The Honourable David Lametti, P.C., Q.C., M.P.
Minister of Justice and Attorney General of Canada*

“I want to sincerely thank all Canadians who participated in the consultations. We heard many personal stories from individuals, experts, advocacy groups, health professionals and other key stakeholders. Their feedback helped us shape the changes we are proposing today. Protecting vulnerable people, while respecting the autonomy of Canadians, remains our central objective. We will continue to work with provincial and territorial governments and stakeholders at all levels as we move forward on the implementation of the proposed changes.”

*The Honourable Patty Hajdu, P.C., M.P.
Minister of Health*

“The Government of Canada fully respects the equality rights of persons with disabilities. We also recognize that disability inclusion requires more than legislation and are working with the disability community and other stakeholders to address stigma and bias. It is important to bring about a culture change to ensure that the important contributions made to Canada by persons with disabilities are recognized and valued on the same basis as those of other Canadians.”

*The Honourable Carla Qualtrough, P.C., M.P.
Minister of Employment, Workforce Development and Disability Inclusion*

Quick Facts

- MAID became legal in Canada in June 2016. The current legislation sets out eligibility criteria for those who wish to apply for MAID, as well as safeguards physicians and nurse practitioners must follow.
- There have been more than 13,000 reported medically assisted deaths in Canada since June 2016. This figure is based on preliminary analysis using voluntarily reported data from the provinces and territories prior to November 1, 2018, and data collected under the new [monitoring regime](#) after that date.
- As expected, there has been a consistent and gradual increase in MAID deaths over the last three years as people become more aware of assisted dying as a legal option and it gains greater acceptance by Canadians.
- Cancer is the most frequently cited underlying medical condition, followed by neurological conditions and cardiovascular or respiratory conditions.
- MAID deaths as a percentage of all deaths in Canada remains consistent with other international assisted-dying regimes.
- In January and February 2020, the Government of Canada engaged with provinces, territories, Canadians, Indigenous groups, key stakeholders, experts, and practitioners to receive their feedback on expanding Canada’s MAID framework.

- Over 300,000 Canadians participated in the online public consultations between January 13 and 27, 2020.
- Ministers Lametti, Hajdu and Qualtrough, and their Parliamentary Secretaries, also met with stakeholders, experts, practitioners, and Indigenous groups to consult them directly on revising Canada’s federal MAID legislation.
- The federal government continues to engage with the provinces and territories, both at the ministerial level through discussions at federal, provincial, and territorial tables, and at the officials’ level through an established intergovernmental working group on medical assistance in dying.
- The proposed amendments would become law once they have gone through the legislative process in Parliament and received Royal Assent.
- The Council of Canadian Academies completed three independent [reviews](#) in three areas where MAID was not allowed under the 2016 legislation: requests by mature minors, advance requests, and requests where a mental disorder is the sole underlying medical condition.
- Canada’s current MAID legislation requires a parliamentary review of the law’s provisions, as well as the state of the palliative care in Canada, by one or more committees, starting by June 2020. This review would allow for further public engagement and parliamentary study on all aspects of MAID in Canada.

Related Products

- [Proposed changes to Canada’s medical assistance in dying legislation](#)

Associated Links

- [Medical assistance in dying](#)

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