



## MAID eligibility should expand to minors, patients with mental illness, report recommends

### Description

“The committee turned a blind eye to the many problems with the existing MAID regime, and instead produced a report that recommended radical expansion,” said Conservative MP Michael Cooper, one of the committee vice-chairs.

But Senator Pamela Wallin, a committee member who supports expansion of assisted dying, said the system has many safeguards. “MAID is always a matter of choice,” she said, noting that, in surveys, Canadians have expressed strong support for advance requests. “Let’s hope the government now acts quickly to answer the needs of Canadians.”

The committee, whose findings serve as advice to Parliament, heard six months of emotional – and sometimes tense – expert testimony last year. Psychiatrists described their fears that mental health patients who could recover might instead choose assisted death. Palliative care doctors raised concerns about the complexity of giving assisted deaths to seniors with dementia who can no longer consent. Other experts, including clinicians already providing MAID, argued that the law should be guided by capable individuals’ right to choose – a respect for patient autonomy that is reflected in the current MAID law.



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In submissions that further revealed the complexity of the issue, Canadians shared their own personal stories about mental illness and suicide risk, about their grief for parents suffering helplessly through dementia, and about wanting control of their own fates when facing incurable illnesses. As the committee was meeting, there were a growing number of publicized cases of Canadians seeking MAID whose lives were complicated by poverty, and by a lack of housing and social supports.

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The main report – supported by Liberal, NDP and Bloc-Quebecois members of the committee – recommended expanding MAID to capable minors but restricting it to young patients whose natural deaths are reasonably foreseeable. The report did not propose a bottom age limit, saying that “eligibility for MAID should not be denied on the basis of age alone.” Parents, the report proposed, should be consulted “where appropriate,” but the will of a minor found to capable would “ultimately take priority.”

The committee majority recommended that the government hold formal consultations with Canadians under 18 about MAID within the next five years, and increase funding for research into the issue. If MAID is expanded, the majority said, Ottawa should develop clear standards with the provinces and territories for safely assessing young patients.

The majority also called for clear standards on advance requests. If such requests were allowed, people with incurable illnesses, such as dementia, would be able to decide on the details of their assisted deaths ahead of time, before they have lost the capacity to advocate for themselves. Currently, in almost all cases patients must consent to assisted death on the day they receive it.

Allowing advance requests has strong support among Canadians, but doctors have raised concerns about the difficulty of interpreting the requests, and the ethical problems with administering assisted deaths to people who cannot consent at the time.

The committee recommended that inmates who are dying, and who qualify for MAID, be able to receive assisted deaths outside prison. The report said this rarely happens today.

First passed in 2016, Canada's assisted dying legislation at first allowed only people with foreseeable deaths to receive euthanasia. That was changed in 2021, following a court case, to include patients with incurable conditions who were suffering intolerably. The amended law would have allowed MAID for mental illness as a sole condition, but the government sought a pause on that expansion for two years, so standards and guidelines could be developed.

The Liberal government is now seeking a further one-year extension, to give doctors and hospitals more time to prepare for the change. The extension is expected to pass.

On mental illness, the committee raised concerns that there had not been enough time to develop standards of practice, and proposed bringing back a committee in the fall to ensure safeguards are in place before the law comes into effect.

The vast majority of people who have received MAID were terminal patients with cancer or heart disease, although the number of people receiving assisted death for a wider range of more chronic conditions has been rising. The law limits access to adults. The average age of Canadians who receive assisted death is 76 years, according to Health Canada.

## **Category**

1. Crime-Justice-Terrorism-Corruption
2. Main
3. NWO-Deep State-Dictatorship-Tyrrany

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