

Revised legislation on MAID

(former Bill C-7)



01

The revised MAID legislation (formerly Bill C-7) became law in March 2021. The law **expanded MAID eligibility to include those whose death is not reasonably foreseeable and individuals suffering solely from mental illnesses**. However, eligibility for the latter group was temporarily delayed until March 17, 2024 to review findings and recommendations

02

The final report was tabled in May 2022. It put forward 19 recommendations for a MAID regime that addresses complex issues, such as **incurability, irreversibility, capacity, suicidality, and the impact of structural vulnerabilities**

03

In December 2022, the Government announced plans to **extend the temporary exclusion of MAID eligibility for individuals suffering solely from a mental illness beyond March 2023**. In March 2023, Bill C-39 postponed the eligibility date for such individuals to March 2024. The findings and recommendations of the parliamentary Special Joint Committee on MAID, released on February 15, 2023, are currently under review.

How will the revised legislation on MAID affect access to end-of-life care?



The revised legislation on MAID has broadened access to end-of-life care by allowing individuals with a mental illness to access MAID. The criteria and safeguards that must be met to access MAID have been strengthened to ensure that individuals' requests are voluntary, informed and free from external pressure or coercion.

How has the scope of eligible individuals for MAID changed?

The scope of eligible individuals for MAID has been broadened to include previous ineligible individuals diagnosed with a mental illness facing intolerable suffering, but who are not necessarily near the end of their life. Individuals must also meet the new reasonableness standard instead of a prognosis requirement. This change has allowed more Canadians access to MAID as an end-of-life care option.



How will the new legislation impact palliative care services in Canada?



The new legislation aims to ensure that palliative care remain an important part of end-of-life care in Canada. A fund has been established to enhance palliative care services, and individuals accessing MAID will still be offered palliative care as an option. Therefore this may have a positive impact on palliative care services as it may encourage individuals to seek palliative care options before opting for MAID, as well as more options for end-of-life care in general.

Original Legislation

2016

MAID Requested

Eligibility Criteria

1. Grievous & irremediable medical condition
2. Reasonably foreseeable natural death

Safeguard for all eligible persons

Final consent before administration of MAID

Revised Legislation on MAID

2021

MAID Requested

Eligibility Criteria

1. Grievous & irremediable medical condition
2. Reasonably foreseeable natural death criterion repealed
3. Eligibility for persons suffering solely from mental illness temporarily excluded until March 2023 (now Mar 2024)

Existing & eased safeguard for persons whose death is reasonably foreseeable

Final consent before MAID OR possible waiver of final consent (eligible participants)

New & strengthened safeguards for persons whose death is **NOT** reasonable foreseeable

Final consent before administration of MAID

