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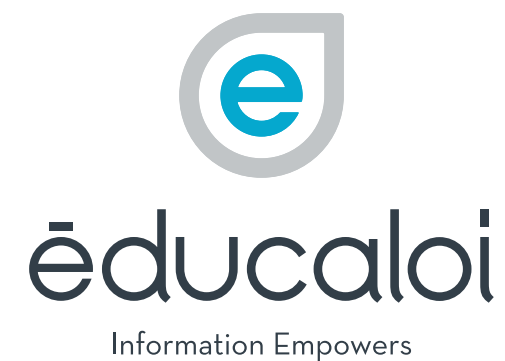


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# Medical Aid in Dying

**PROCEDURES AND PROTECTIONS**



## Setting the Scene

People who are suffering unbearably can ask a doctor to give them medication to end their lives. This procedure is called medical aid in dying.

The law changes. This pamphlet is up to date to August 2022.

This pamphlet has legal information, not legal advice. If you need legal advice on a specific situation, consult a lawyer or notary.

## What is it?

In Quebec, people who are suffering unbearably can ask a doctor to give them medication to end their lives.

This procedure is called medical aid in dying (MAID). You may have also heard it called “medical help to die” or something similar.

Given the irreversible nature of this procedure, the law is very strict about when it is allowed.

## When is it permitted?

To obtain MAID in Quebec, people must meet all the following requirements:

- be 18 years old or older
- have a Quebec health insurance card
- have the mental capacity to understand and make their own decisions about their medical care, free of any outside pressure
- have a serious and incurable illness
- have a medical condition that seriously affects their health, with no chance of getting better
- be in constant and unbearable physical or psychological pain
- have been informed about any available means to relieve suffering and have decided that they are intolerable

**Important!** You **cannot** request MAID in Advance Medical Directives

## How do you request it?

A patient who wishes to obtain MAID must use a government form to request it. They must sign and date the form. A healthcare professional must be present as an independent witness when the patient signs the form and must then give the form to the patient’s doctor.

The doctor then evaluates the request based on the previously-mentioned general requirements. If the doctor is satisfied that the patient meets these requirements, a second doctor, who is not involved in treating the patient, must also confirm in writing that the patient meets the requirements and is eligible for MAID.

**Important!** A doctor who receives a request for medical aid in dying is not obliged to administer it. A doctor can refuse if MAID is against their personal values, for example. In this situation, the director of the healthcare establishment must find a doctor who is willing to consider the request.

## What protections are in place?

The doctor must ensure that:

- The patient has had an opportunity to discuss the request with their loved ones and, if the patient wishes, that their loved ones were able to discuss the request with the doctor.
- If the patient has difficulty communicating, they were provided with a reliable means of communication and was it verified that they understand the information received.
- The patient repeated the request for medical aid in dying at different moments, with some time having passed between the requests if the length of the illness permits.
- The patient still consents to receive MAID immediately before it is administered. You can change your mind right up to the very last moment!

If a patient’s natural death is reasonably foreseeable, a doctor can administer MAID without further delay if all the general conditions have been met and all the protection measures have been respected.

## What if the patient’s death is not reasonably foreseeable?

If the patient’s natural death is **not** reasonably foreseeable, in addition to the above-mentioned general conditions and protection measures being met, the doctor must:

- Consult a doctor who is a specialist in the patient’s medical condition if the doctor is not themselves a specialist in this domain.
- Discuss with the patient other means for relieving their suffering, such as counselling services, mental health and disability support services, community services and palliative care, and ensure that the patient has seriously considered them.
- Wait 90 days from the patient’s initial request for medical aid in dying, unless there is a serious risk that the patient will lose their capacity to consent to MAID.

Once these additional conditions have been met, the doctor can administer MAID to the patient.