MAiD in Canada and Last Aid: Part 2

Julie McIntyre MD, CCFP, FCFP

Eligibility Criteria

Individuals must:

- Be eligible for health services in Canada.
- Be 18 years old and mentally competent.
- Have a grievous and irremediable medical condition, which includes:
  - A serious illness, disease, or disability.
  - An advanced state of decline that cannot be reversed.
  - Unbearable physical or mental suffering from the illness, disease, disability, or state of decline that cannot be relieved under conditions the individual finds acceptable.

Two Track System

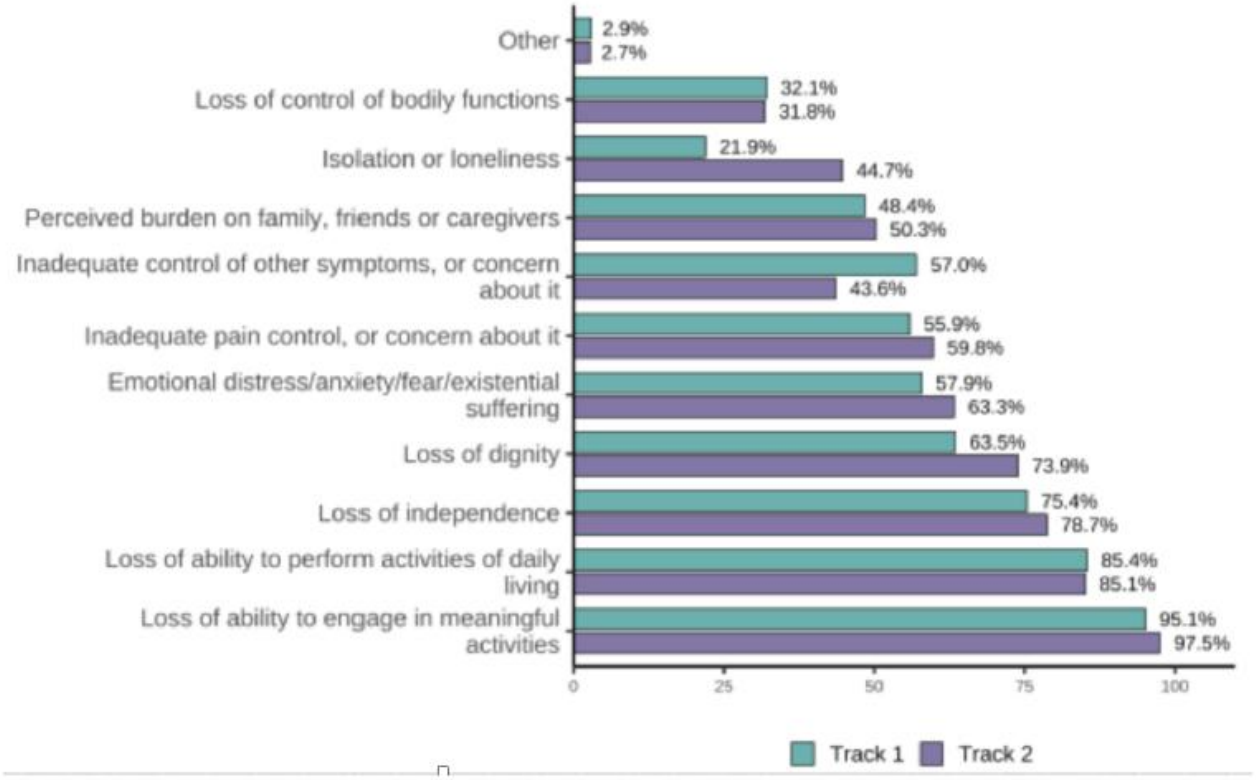
Track 1: Is for those with a reasonably foreseeable natural death.

In some cases, they can arrange with their MAiD provider for a Waiver of Final Consent if there is a risk of loss of capacity before the date of the provision. This is called Advance Consent.

Track 2: Is for those who do not meet the criteria for a reasonably foreseeable natural death.

This requires a 90-day assessment period during which a specialist in the condition causing the suffering must be consulted (if neither assessor has that expertise) and the individual must give "serious consideration" to other methods of relief.

Figure 3.4a Reported nature of suffering, by track



Ongoing Areas of Debate

MAiD for individuals with a mental disorder as the sole underlying diagnosis (MDSUC).

Advance Requests: created in advance of a loss of decision-making capacity and before assessment for eligibility for MAiD.

Inadequate access to Palliative Care and social supports.

Disability Rights.

MAiD and Last Aid

The information that Last Aid provides about navigating the health care system, advance care planning, tips for caregivers and normalizing grief, may be of great benefit to those contemplating MAiD, their families and support systems. Education about Palliative Care may help to dispel the myth that MAiD is the only way to have a dignified death.

Last Aid's role may be important in guiding society's view of a natural death as something not to be feared and avoided, but, unless significant suffering is expected, as a transformative life process that can be a meaningful experience for the individual, their loved ones, health team and community.

References

This is Assisted Dying in Canada by Stefanie Green, M.D.

Medical Assistance in Dying: Overview. August 27, 2025 https://www.canada.ca

Sixth annual report on Medical Assistance in Dying in Canada 2024: Search: MAiD Statistics at https://www.canada.ca

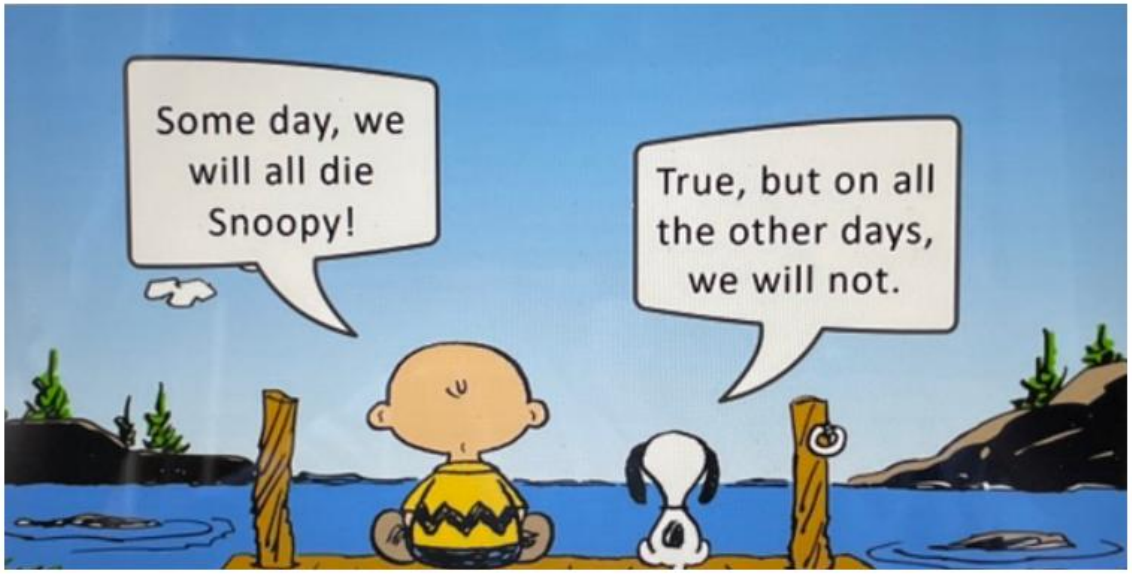
AMAD: Report of the Special Joint Committee on MAiD and Mental Disorder as the Sole Underlying Medical Condition. https://www.parl.ca/AMAD

Irremediability in psychiatric euthanasia: Examining the objective standard by Marie E. Nicolini, Cambridge University Press, October 2022.

MAiD and marginalized people: Coroner's report shed light on assisted death in Ontario by Karandeep Sonu Gaind. The Conversation Newsletter. October 24, 2024.

UN Committee on the Rights of Persons with Disabilities (CRPD). Concluding observations on the combined 2nd and 3rd periodic reports of Canada. March 26,2025. https://www.ohchr.org

Early Exits: Spirituality, Mortality and Meaning in an Age of MAiD by David Maginley, M. DIV, CSCP



Questions/Comments?