

Ethical Considerations Around Medical Assistance in Dying

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The Changing Canadian Landscape



Carter v. Canada (2015)



Struck down the prohibition against assisted dying for:

A competent adult person who **clearly consents** and who has a **grievous and irremediable** medical condition (including an illness, disease or disability) that causes them enduring and **intolerable suffering**.

Protects care providers' rights to conscientious objection.

Requires health systems to protect members of vulnerable populations.

Bill C-14 (June 17, 2016)



Basically follows the Carter decision.

It notably adds the requirement that eligible patients must be at a point where their death is reasonably foreseeable.

Articulates several procedural safeguards.

Explicitly provides legal protection to non-physician health care providers and others operating within their normal scope of practice.

Definitions



Assisted Suicide

Patient self-administers a lethal dose prescribed by a physician

Voluntary Euthanasia

Physician prescribes and administers lethal dose to consenting and capable person

Patient expresses sustained, well-informed, un-coerced decision to end their life.

Two Key Elements



- A growing significance of individual evaluations of **quality** of life.
- A growing social acceptance of limited instances of intending death as a means of relieving suffering and respecting autonomy.

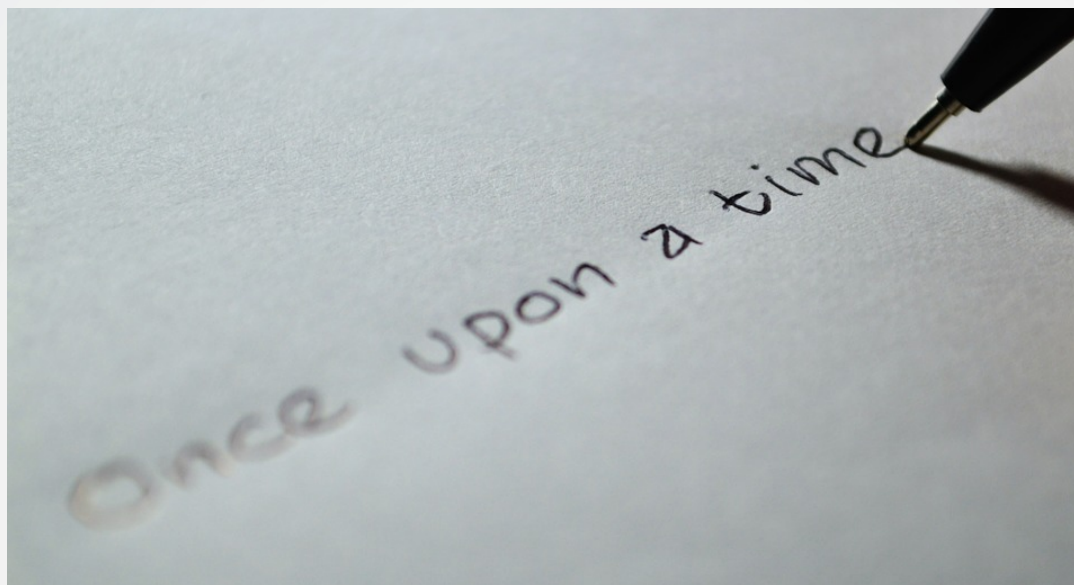
The Ethics of Medical Assistance in Dying



- Respect for Patient Autonomy.
- Benefiting Patients
- Fairness
- Preciousness of Life
- Limits of Human Authority
- Protection of Vulnerable Persons.



Our Narrative





In Thinking About the Ethics, We Need to Take Care



- Portraying moral perspectives in terms of arguments “for” and “against” can create the false impression there are only two perspectives to be had on this issue.
- We may also make false assumptions about others’ underlying values and beliefs based on what we know about their perspective on medical assistance in dying.
- In reality, people hold much more diverse and nuanced views.

Issues down the road...



Federal government has stated that it will review and research:

- Potential eligibility of mature minors.
- Potential eligibility of those whose deaths are not reasonably foreseeable (including, for example, persons with mental health conditions).
- Potential role for advance directives.

Our Behaviour and Responses to Each Other Should be Guided by:



- Respect – treating others kindly and well, whatever their views are.
- Compassion – recognizing the struggle in others.
- Humility – acknowledging that we likely do not know the nuances of each others values and beliefs.

Questions

