



## MINISTERIAL DIRECTIVE

### Medical Assistance in Dying Guidelines for the Northwest Territories

MD 2025-03

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#### 1. Directive

This Ministerial Directive requires that all Health and Social Services Authorities follow the *Medical Assistance in Dying Guidelines for the Northwest Territories (Guidelines)* for the provision of medical assistance in dying in the Northwest Territories (NWT).

#### 2. Background

The Supreme Court of Canada ruled in February 2015 that it is against the Charter of Rights and Freedoms to prosecute a doctor for assisting someone with incurable suffering who wants to end their life. Amendments to the *Criminal Code*, setting out the medical assistance in dying (MAID) regime in Canada, came into effect in June 2016, and further changes came into force in March 2021, allowing those with a “grievous and irremediable medical condition” but whose death is not near to access MAID.

The *Guidelines* were initially intended as an interim measure until a legislative framework for the NWT was developed; however, the *Guidelines* have since evolved to provide a comprehensive framework for medical assistance in dying in the NWT, encompassing all federally legislated requirements as well as NWT-specific rules and guidance for provision of the service.

This Directive rescinds Ministerial Directive 2016-01 – Medical Assistance in Dying Interim Guidelines for the NWT, signed on June 5, 2016.

#### 3. Purpose

Health and social services professionals rely on the *Guidelines* to provide MAID in the NWT in accordance with the *Criminal Code*.

Consistent application of the provision of MAID is essential to ensure patients and health and social services professionals are protected.

The *Guidelines* and incorporated documents may be amended from time to time under the authority of the Deputy Minister.



#### 4. Definitions

**Health and Social Services Authorities** means the Territorial Health and Social Services Authority established under section 5(1) or a Board of Management established under section 10(1) or referred to in subsection 10.2 or 10.3 of the *Hospital Insurance and Health and Social Services Administration Act*, or an organization, agency or firm contracted by the Minister pursuant to section 17 of the *Hospital Insurance and Health and Social Services Administration Act*.

**Medical Assistance in Dying** means:

- a. the administering by a practitioner of medication(s) to a patient, at their request, that causes their death; or
- b. the prescribing or providing by a practitioner of medication(s) to a patient, at their request, so that they may self-administer the substance and in doing so cause their own death.

#### 5. Exceptions

No exceptions.

#### 6. Amendment

The Minister may amend this Directive from time to time.

#### 7. Effective Date

This Directive comes into effect on June 2, 2025.

#### 8. Expiration Date

This Directive is in effect, as amended from time to time, until it is repealed by the Minister.

#### 9. Review of Directive

This Directive will be reviewed by the Department of Health and Social Services every 5 years.

<original signed by> \_\_\_\_\_

Lesla Semmler

Minister of Health and Social Services

May 14, 2025

Date