



MINISTERIAL DIRECTIVE

Department of Health and Social Services

Medical Assistance in Dying Interim Guidelines for the NWT MD 2016-01

1. Background

In February 2015, the Supreme Court of Canada ruled that certain provisions of the *Criminal Code* were unconstitutional, essentially allowing for physician-assisted death in Canada. The Supreme Court of Canada delayed their ruling until June 6th, 2016, to allow the federal government and provinces/territories time to determine how physician-assisted death would be provided.

The *Guidelines* are an interim measure until a legislative framework for the NWT is developed.

2. Purpose

This Ministerial Directive requires that all Health and Social Services Authorities use the *Medical Assistance in Dying Interim Guidelines* (attached) for the provision of medical assistance in dying. The *Interim Guidelines* set the rules for how medical assistance in dying can be requested by a patient and how the service must be provided, including defined roles and expectations for practitioners.

These *Interim Guidelines* create a balance between respecting a patient's autonomy and dignity and a health care provider's rights of conscience, culture, or religion.

Consistent application of the request and provision of medical assistance in dying is essential to ensure patients and health care providers are protected.

3. Definitions

Health and Social Services Authorities means the Territorial Health and Social Services Authority and Boards of Management established under 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.

4. Exceptions

None.

5. Amendment

This Directive may be amended in writing by the Minister from time to time.

6. Coming into Force

This Directive comes into effect on June 6th, 2016.

7. Expiration Date

This Directive is in effect, as amended from time to time, until it is repealed by the Minister.

<original signed by>

Glen Abernethy
Minister of Health and Social Services

June 5, 2016

Date