

Death Denied or Death Delayed? Outcomes among Nova Scotia patients deemed ineligible for MAiD

Description

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Canadian Health Policy, July 2021. ISSN 2562-9492

ABSTRACT

Context: Since the legalization of Medical Assistance in Dying (MAiD) in Canada, a relatively small proportion of those requesting MAiD have been ineligible under the terms of Bill C-14. Reasons for ineligibility include lacking intolerable suffering, capacity, or a reasonably foreseeable natural death (RFND). **Objectives:** To understand the characteristics and natural history of those patients deemed ineligible for MAiD. **Methods:** All patients who requested MAiD in the province of Nova Scotia between June 17, 2016 and December 31, 2018 and were found ineligible for lack of RFND or intolerable suffering were included. Descriptive statistics were used to describe the study population. **Results:** Of 402 patients who requested MAiD, 15 were ineligible. The majority were found ineligible due to lack of RFND (80.0%, n = 12), while three were found ineligible due to lack of intolerable suffering (20.0%, n = 3). Of the eight patients who were deceased at the time of analysis, six were denied MAiD based on lack of RFND. The median number of days between MAiD request and death was 339 (IQR 272.3). **Conclusion:** Lack of RFND was the most common reason for ineligibility, applying to 80.0% (n = 12) of our population, yet of these 12 patients, six were deceased at the time of analysis and five were deceased within 18 months of their MAiD request. What constitutes RFND has been left open to interpretation with little guidance provided by the courts, and our findings further underscore the difficulties of applying this provision to patients.

SUBMISSION: June 25, 2021 | **PUBLICATION:** July 19, 2021