




## Policy & Procedure Manual

Policy Name: <b>Board Policy-Medical Assistance in Dying (MAID) Bethania MPCH / Pembina Place MPCH</b>	
Originating Date: <b>2018-02-12</b>	Effective date/Current Revision <b>2018-04-04</b> <a href="#">/Review and Revision List</a>
Executive Authority: <b>Henry Neudorf, Board Chair</b>	Signature: 

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### Policy Statement

The beliefs and values that guide our mission and vision as a Mennonite organization are rooted in the Christian scriptures as the authoritative written Word of God for us. Central to our position on Medical Assistance in Dying is our traditional Mennonite distinctive pacifist stance of conscientious objection to the taking of human life. We cannot, in good conscience, condone or be involved in any way in the intentional taking of human life, including Medical Assistance in Dying (MAID).

### 1. Purpose:

- 1.0 To ensure our Chief of Medical Staff, Medical Staff, Director of Care, Nursing Staff, Allied Health Staff, Chaplains and any and all other Bethania Group employees, including Conscientious Objectors, agree to consistently follow the Bethania Group Board's Policy and Procedures on MAID and our legal right to conscientious objection as an abstaining facility, in their performance of medical care and other services for residents of Bethania Mennonite Personal Care Home and Pembina Place Mennonite Personal Care Home.
- 1.1 To ensure we are in compliance with federal and provincial legislation and the Winnipeg Regional Health Authority Policy with respect to MAID.

### 2. Definitions:

- 2.1 MAID: Medical Assistance in Dying. The administering or prescribing of a substance to a person at their request that causes death. MAID is administered or prescribed by a Medical Practitioner or Nurse Practitioner. For greater certainty, MAID does not include processes that may or may not culminate in MAID.
- 2.2 Abstaining Facility: A faith-based facility that is funded, but not owned or operated by the WRHA, and that provides publically funded health services to individuals in a manner which is consistent with the fundamental religious principles of the religion or faith to which it adheres. The abstaining facility adopts a policy or position on MAID and/or certain aspects of the processes of MAID.
- 2.3 Staff: All persons employed or engaged by the Bethania Group including Medical Staff, Nurses, Nurse Practitioners, Chaplains, all other Unionised and Non-Unionised employees, volunteers, Board members, students and other persons under contract.
- 2.4 MAID Team: The group of health care professionals known as the Manitoba Provincial MAID Clinical Team who have been approved by the WRHA Chief Medical Officer to provide MAID.
- 2.5 PHIA: Personal Health Information Act.
- 2.6 Conscientious Objector: Any Staff who refuses to provide or participate in providing MAID because such action would violate a personal, deeply held moral or ethical value.

### 3. **Policy:**

- 3.1 As a Mennonite Christian organization, the Bethania Group prohibits MAID to be performed by our Medical Staff, Director of Care, Nursing Staff, Allied Health Staff, and any other Bethania Group employees, or by any other external Physician or agents, in or at the Bethania Mennonite Personal Care Home, the Pembina Place Mennonite Personal Care Home, any other Personal Care Home that the Bethania Group may own and operate in the future.
- 3.2 Further, our Medical Staff, Director of Care, Nursing Staff, Allied Health Staff, Chaplains and any and all other Bethania Group employee are prohibited from advocating that Residents or families seek out the MAID Team, Physicians or other agents, for the expressed purpose of performing a MAID.
- 3.3 This policy shall be posted on the Bethania Website ([www.bethania.ca](http://www.bethania.ca)) and intranet system and copies will be provided to any Resident, substitute decision maker, family member, Staff or member of the general public upon request. Further, all current and future staff will be required to sign a document that they have read and understood the Policy.
- 3.4 As part of the pre-admission and admission process, Bethania and Pembina Place Mennonite Personal Care Homes shall inform all Residents and/or their substitute decision maker, that Bethania and Pembina Place do not offer MAID services but that the Bethania Group is committed to provide compassionate care to all residents based on best practices in Palliative Care, pain management and through Spiritual Care, emotional support and other counselling for residents who express a wish to die and may be requesting MAID.
- 3.5 During the pre-admission and admission process, Individuals who have expressed an interest in MAID, or may ultimately choose to receive MAID, shall not be disqualified or prohibited from admission.
- 3.6 Where a Resident, or their substitute decision maker expresses an interest in information on, or the provision of MAID, these requests will be acknowledged without prejudice and reference provided to the WRHA website on MAID and the contact information for the MAID Team within the 24 hour deadline. The internal procedures shall then be followed (see Section 4 Procedures)
- 3.7 The WRHA MAID Team shall be allowed on site at Bethania and Pembina Place to initiate and complete their assessment process without interference and upon request, the Director of Care and/or Chief of Medical Staff shall provide personal health information in accordance with PHIA and access to the Resident's health record and allow the MAID team to document information on the health record.
- 3.8 Where a Resident, or their substitute decision maker expresses an interest in the provision of MAID, requests information about MAID, or pursues the provision of MAID, Bethania and Pembina Place staff shall not:
  - (a) directly or indirectly take or threaten to take any discriminatory or retaliatory action against the Resident;
  - (b) fail to follow the procedures as outlined in Section 4 Procedures;
  - (c) directly or indirectly take or fail to take any action which may or does result in the reduced availability or diminution of health care services provided to a Resident; or
  - (d) cause the Resident to be discharged or transferred to another health care facility, except in accordance with a documented treatment plan approved for and in collaboration with the Resident or their substitute decision maker or for the purposes of the provision of MAID under the WRHA's transfer protocols.
- 3.9 It is important to acknowledge that Residents **will not be able to access MAID** if too ill or frail to be transferred to a WRHA Facility that permits MAID, or if the Resident declines to be transferred from Bethania or Pembina Place to another WRHA Facility that permits MAID.

- 3.10 Bethania and Pembina Place shall cooperate with and provide information to any person conducting an investigation, review or inquiry on behalf of the WRHA in respect to concerns raised by a Resident, or anyone acting on behalf of any Resident, that they have experienced discriminatory or retaliatory action as a result of an expressed interest in MAID or as a result of having requested or pursued MAID, and such persons shall be made aware that they may contact the WRHA Chief Medical Officer or Chief Nursing Officer to communicate their concerns by email or phone as follows:

Email address: [maid@wrha.mb.ca](mailto:maid@wrha.mb.ca)

Local telephone number: 204-926-1380

Toll-free telephone number: 1-844-891-1825

- 3.11 Bethania and Pembina Place shall comply with any WRHA transfer protocols for the transfer of care of a Resident from our facilities to a WRHA facility or community setting for the provision of MAID in a safe, timely and coordinated manner and as required by the WRHA to accept transfer back of a Resident who does not proceed with MAID. The costs for these transfers shall be paid by the Resident or the WRHA.
- 3.12 Bethania and Pembina Place staff shall at all times protect the privacy of Residents, their substitute decision makers, and families, and shall not discuss, or otherwise communicate requests for information on MAID or the provision of MAID to other Residents, other families, or other staff except as described in Section 4 Procedures.

#### **4. Procedures:**

- 4.1 Where a Resident, or substitute decision maker, expresses an interest in receiving MAID or requests information about MAID, all Staff, including Conscientious Objectors, shall, at a minimum, promptly notify their manager or acting Manager of the expression of interest or request for information.
- 4.2 The manager shall then promptly notify the Director of Care or Acting Director of Care who will in turn notify the CEO and Chief of Medical Staff. The DOC or CMS, will contact the Attending Physician within 24 hours and request the Physician visit the Resident within 72 hours to understand the request and explore symptom management and the range of treatment options. A referral to our Chaplain will also be made within 24 hours in order to make an offer of spiritual support to the Resident, substitute decision maker and family.
- 4.3 The Director of Care will comply with section 3.6 of this Policy, no later than 24 hours after the expression of interest or request for information and direct the Resident and/or substitute decision maker to:

The MAID team contact information:

Phone: 204-926-1380

Toll-free: 1-844-891-1825

Email: [maid@wrha.mb.ca](mailto:maid@wrha.mb.ca)

Health Links – Info Santé:

Telephone: 204-788-8200

Toll-free: 1-888-315-9257

- 4.4 If the request is from a Resident alone, the Director of Care will enquire if the Resident has informed their family and if not, encourage them to do so. It is understood that the MAID Team will also discuss the importance of family communication during their assessment process.
- 4.5 If a requesting Resident is unable to contact the above resources due to any limitations, medical or otherwise and the substitute decision maker and/or family refuse to make contact on the Resident's behalf, the DOC or Chief of Medical Staff shall inform the WRHA Long Term Care Program who will make the referral to the MAID Team.

- 4.6 After referral and when requested by the Resident or the MAID Team with the consent of the Resident and in accordance with *The Personal Health Information Act*, the DOC will disclose and provide personal health information about a Resident, including access to the Resident's health record.
- 4.7 When requested, arrangements will be made for the MAID Team to visit the Resident at a mutually agreed upon time(s) and date(s) in the privacy of the Resident's room. Staff will not interfere with these visits and staff are not permitted to be present at these sessions unless specifically requested by the MAID Team, the Resident, the substitute decision maker or the family. Staff will not reveal or otherwise communicate to other staff, other Residents or their families, or any other persons, except as described in Section 4 Procedures., of the identity or purpose of the MAID Team visit.
- 4.8 Should a Resident meet the MAID Clinical Guidelines as determined by the MAID Team, care planning for the safe and coordinated transfer of the Resident and copies of any health or other records, to another WRHA facility or community setting will be arranged in accordance with the WRHA Transportation protocols and policies and within the provisions of Section 3.11 above.
- 4.9 Where a Resident has undergone a MAID:
- (a) the MAID Team will contact the DOC to confirm the date, time and location of the death and such information will be included in the health record of the Resident. It is understood the MAID Team will communicate the same information to the substitute decision maker or the family directly;
  - (b) the timelines for removal of a deceased Resident's furniture and other personal effects and the settlement of outstanding Resident charges or repayments will be implemented as per policy;
  - (c) Staff will not reveal or otherwise communicate to other staff, other Residents or their families, or any other persons, except as described in Section 4 Procedures, of the circumstances of the Resident's death.
- 4.10 Where a Resident has refused to undergo a MAID, and returns to our facility:
- (a) any documentation provided to Bethania or Pembina Place by the MAID Team in accordance with WRHA Policy and Guidelines, concerning the refusal, will be included in the health record of the Resident. It is understood the MAID Team will communicate this decision to the substitute decision maker or the family directly;
  - (b) implementation of the Resident's care plan will be continued and revised to include any changes recommended by the MAID Team, Chief of Medical Staff, DOC and/or Attending Physician to improve pain management, other palliative care needs, and spiritual care support;
  - (c) Staff will not reveal or otherwise communicate to other staff, other Residents or their families, or any other persons, except as described in Section 4 Procedures, of the circumstances of the Resident's departure or return to the facility.

## 5. **References:**

- 5.1 The Bethania Group Board of Directors. Declaration on Physician Assisted Death (Medical Assistance in Dying). April 21/2016.
- 5.2 Medical Assistance in Dying, Bill C-14
- 5.3 Criminal Code of Canada, R.S., c-46. [inc. S-176 (1) ]
- 5.4 Manitoba Health, Seniors and Active Living, MAID Policy No. 200.33, January 2017
- 5.5 WRHA Policy: Medical Assistance in Dying, Policy #110.000.400 (December 2017)
- 5.6 College of Physicians & Surgeons of Manitoba, By-Law No. 11, Schedule M
- 5.7 College of Registered Nurses of Manitoba, College of Registered Psychiatric Nurses of Manitoba, College of Licensed Practical Nurses: *Joint Statement on Conscientious Objection.*