



## Important Information Regarding Physician-Assisted Death / Medical Assistance in Dying

### Attention All Regulated SLPs:

As regulated members may be aware, as of June 6, 2016, Physician Assisted Death was decriminalized in Canada as per the Supreme Court of Canada decision in *Carter v Canada* February 2015.

Although the decision recognizes the right to physician-assistance in dying (PAD), it did not explicitly recognize that other members of the health care team would need to be involved.

Hence, amendments providing protections for a broader range of health care workers participating in Medical Assistance in Dying (MAID) are currently under debate in the Senate.

In order to secure legal protection for non-physician practitioners until federal legislation comes into force, Alberta Justice has developed a *Prosecution Service Directive* in which speech-language pathologists (SLPs) are named as one of several health care providers who may serve as part of a health care team involved in PAD/MAID without fear of prosecution.

It is important to note that the *Prosecution Service Directive* was developed as a direct response to an application by Alberta Health Services in conjunction with regulatory bodies, including ACSLPA. Because regulated SLPs may be involved in facilitating the comprehension of patients' wishes when disease, injury, or neurological disorders impair their ability to communicate, ACSLPA Council felt it was important to ensure that protection from prosecution was established.

ACSLPA's legal counsel has reviewed the *Prosecution Service Directive* and feels that it provides sufficient protection for our members as part of the health care team who provide assistance in PAD/MAID. Of note, regulated members involved in PAD/MAID must:

- Practice within the scope of their respective profession;
- Participate only under the direction of a physician, and
- Document their involvement appropriately in accordance with the profession's *Standards of Practice*.

Regulated SLPs who are working with clients who communicate they would like medical assistance in dying are urged to follow employer guidelines where they exist, or should contact their immediate supervisor to inform them of such a request. No further action should be taken until a decision has been made with respect to PAD/MAID.

Regulated members are also reminded that it is not our role to assist or counsel clients in relation to PAD/MAID, nor can we impede access to care. In the event that an SLP involved on a PAD/MAID team feels they are unable to participate based on conscientious objection, referral to a non-objecting accessible alternative provider may be an option.

SLPs involved in palliative care or on a PAD/MAID team may wish to check with their insurance provider to clarify whether their professional liability insurance provides coverage under these circumstances. Stay tuned for any further updates as they become available.

Please feel free to contact the ACSLPA office at [admin@acslpa.ab.ca](mailto:admin@acslpa.ab.ca) or at 780-944-1609 or toll-free at 1-800-537-0589 should you have any additional questions.