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MEDICAL ASSISTANCE IN DYING
GUIDANCE FOR PHARMACISTS AND PHARMACY TECHNICIANS

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- College of Pharmacists of British Columbia
- New Brunswick College of Pharmacists
- Nova Scotia College of Pharmacists
- Ontario College of Pharmacists

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Purpose

The purpose of this document is to provide pharmacy professionals with guidance in meeting legal obligations and expectations with respect to participation in MAiD under federal legislation, Standards of Practice and the Code of Ethics.

Background

On February 6, 2015, the Supreme Court of Canada (SCC) in *Carter v. Canada* struck down the provisions in the criminal code prohibiting physician-assisted dying. The Carter decision deals with the rights of individuals to request physician-assisted death under specific conditions and does not explicitly address the involvement of the overall health team in this process. Under the Carter decision, only physicians were exempted from criminal liability when participating in physician-assisted death.

The SCC suspended the decision for a period of 12 months to allow the federal government to pass legislation that would accommodate the decision.

On July 17, 2016 the federal government enacted amendments to the *Criminal Code of Canada* (the code) to include circumstances under which MAiD is permitted through Bill C-14. The legislation defines eligibility criteria and safeguards and provides exemptions to medical practitioners, nurse practitioners and pharmacists from prosecution under the code.

Definitions-From Bill C-14

Medical Assistance in Dying: a) The administering by a medical practitioner or nurse practitioner of a substance to a person, at their request, that causes their death; or b) the prescribing or providing by a medical practitioner or nurse practitioner of a substance to a person, at their request, so that they may self-administer the substance and in doing so cause their own death.

Medical Practitioner: means a person who is entitled to practice medicine under the laws of a province.

Nurse Practitioner: means a registered nurse who, under the laws of a province, is entitled to practice as a nurse practitioner-or under an equivalent designation- and to autonomously make diagnoses, order and interpret diagnostic tests, prescribe substances and treat patients.

Pharmacist: means a person who is entitled to practice pharmacy under the laws of a province.

Ethical Considerations

Providing a medication for the purposes of medical assistance in dying raises important ethical issues. The federal legislation does not address how health care providers may conscientiously object to participate in the delivery of MAiD. However, pharmacists need to be prepared for how they will respond when presented with a patient requesting MAiD. Where a pharmacist has a conscientious objection to providing MAiD, he or she is required to comply with the Code of Ethics and ensure that the patient receives a referral to non-objecting provider in a timely manner.

Guidance

This guidance document provides general information for pharmacists and pharmacy technicians when providing medications for medical assistance in dying. It is important for members to determine if their employer also has policies on the provision of medications for medical assistance in dying.

- It is important the pharmacists do not perform, or are not perceived to be performing, any activity that may imply they are leading physician-assisted death including:
 - Advising patients on physician-assisted death. Always refer to a medical or nurse practitioner when asked about physician-assisted death;
 - Assessing if the patient's condition is grievous or irremediable;
 - Collect consent for physician-assisted death; and
 - Dispense drugs intended for physician assisted death for general use in a physician's office i.e. "in-office use".

- Pharmacist should refer all requests or inquiries from patients, families, individuals or groups for information concerning MAiD, to a physician or nurse practitioner. If the patient does not have a primary care provider, they may contact 811 for more information.

- Pharmacists are not responsible for assessing if a patient meets eligibility criteria, collecting/obtaining a patient's consent or request for MAiD. Pharmacists need to be assured that the medical practitioner or nurse practitioner has affirmed that the patient has met the eligibility requirements and has consented to receiving MAiD.

- Medical practitioners and nurse practitioners are required to notify pharmacists of a MAiD request in advance of receiving a prescription for MAiD. Pharmacists are encouraged to work collaboratively with medical practitioners and nurse practitioners as early as possible to ensure patients have access to MAiD in a timely manner. The pharmacist and practitioner should discuss the following
 - The MAiD protocol selected
 - The scheduled time for the administration of MAiD
 - The time required to prepare the drugs by the pharmacist

- The date after which the drugs should not be administered
- The procedures for returning any unused drugs to the pharmacy
- Any other relevant information required by the pharmacist

If a pharmacist receives a prescription for MAiD prior to being notified in advance by the medical or nurse practitioner, the pharmacist shall not proceed until they have been in contact with the practitioner.

- Prescriptions for MAiD must meet the following criteria:
 - Meet the requirements for a prescription in accordance with applicable legislation; and
 - The prescription must be patient specific and cannot be dispensed for general physician use in their office (i.e. not “for office use”).
- Pharmacists must not adapt or therapeutically substitute a prescription for MAiD. Should a MAiD prescription require adjustments, the medical or nurse practitioner should be contacted.
- The pharmacist or pharmacy technician may prepare and label a MAiD medication but only the pharmacist shall release the medications for MAiD.
- Prior to their release, MAiD medications must be stored in a secure area.
- The pharmacist shall release the MAiD medication(s):
 - to the medical or nurse practitioner. It is not appropriate to release MAiD medications to a patient or family member; and
 - on or after the date specified by the physician or nurse practitioner (refer to Bill C-14 Section 241.2 (3)(g).
- The pharmacist shall ensure that the medical or nurse practitioner has information on the MAiD medications relating to the stability, storage, and any other details supporting the administration and efficacy of the medications.
- Pharmacists shall file and report MAiD related information to any designated government organization(s) in accordance with the required format, manner and schedule as determined in the regulations to Bill C-14.
- The Pharmacy MAiD Form, Appendix B, can be used to document the MAiD process, including patient information, prescriber declaration, pharmacist-prescriber collaboration details, prescription fulfillment and return of any unused MAiD medication. The Pharmacy MAiD form is to be maintained as part of the patient record.

Conscientious Objection

- A pharmacist may decide to exercise conscientious objection and not participate in MAiD. The pharmacist must:
 - Inform the pharmacy management of their objections at the earliest opportunity.
 - Advise the physician or nurse practitioner at the earliest opportunity upon receiving notification.
 - Provide the physician or nurse practitioner with a referral to another pharmacist who will accept the referral to participate in MAiD.
 - Not directly convey or express any disapproving or other judgmental opinions regarding the decision or beliefs of those involved in MAiD

Appendix A- Resources

[An Act to amend the Criminal Code and to make related amendments to other Acts \(medical assistance in dying\) \(Bill C-14\)](#)

[Alberta College of Pharmacists-Medical Assistance in Dying](#)

[Ontario College of Pharmacists-MAiD Guidelines and FAQs](#)

[New Brunswick College of Pharmacists-Position Statement](#)

[Nova Scotia College of Pharmacists-Standards of Practice: Medical Assistance in Dying](#)

[PEI College of Pharmacists Code of Ethics](#)

Appendix B- Pharmacy MAiD Form

Date:		
Patient Identification and Declaration		
Patient Information		
Name		DOB:
Address		Provincial Health Number:
Patient Medical History (pertinent to MAiD)		
Prescriber Information		
Name		License #:
Address		Phone #:
Signature		
Declaration		
<p><i>The prescriber will initial each statement to declare it is true</i></p> <p><i>The pharmacist will initial each statement to acknowledge they have been provided the information described</i></p>		
<p><i>The pharmacist will not assess that the patient has met the eligibility criteria or that the patient was competent to consent. These actions can only be performed by a Medical or Nurse Practitioner.</i></p>	Prescriber Initials	Pharmacist Initials
I confirm that the patient has been assessed to have decisional capacity		
I confirm that the patient has been determined to suffer from a grievous and irremediable medical condition		
I confirm that the patient has provided consent to receive medical assistance in dying		
Pharmacist Information		
Name		PEICP #
Pharmacy Address		

Pharmacist Signature			
Collaboration and Planning			
Prescription Release			
Release Date (YY/MM/DD) Do not release MAiD medications prior to this date.			
Name of person to whom the MAiD medication will be released			
Expiry date of the medication. Do not release medications on or after this date			
MAiD Conclusion			
A plan has been established for how the practitioner will notify the pharmacist of the patient's death	<input type="checkbox"/> yes		
A plan has been established for the return of any unused medication to the pharmacy for safe and timely disposal	<input type="checkbox"/> yes		
Prescription Preparation and Release			
Dispensing confirmation			
Dispensed By	Name of Pharmacist	PEICP #	Date
Verified By (if an independent double check has been completed):	Name of Pharmacist	PEICP #	Date
Medication Release Confirmation			
Medication released by:	Name	Date	
	Signature		
Medications received by:	Name	Date	
	Signature		
Confirmation of Patient Death			
<i>The prescriber will notify the pharmacist of the patient's date of death</i>			
Date of Death			

Unused Medication Return and Disposal

The prescriber will notify the pharmacist if any unused medication(s) remain. An approach to returning unused medication(s) will be determined between the prescriber and the pharmacist and the medication(s) will be returned as soon as possible

Medication Returned		Quantity	
Returned By	Name		
	Signature		
Received By	Name		
	Signature		
	Date		