

OFCAN Statement on MAiD where Mental Disorder is the Sole Underlying Medical Condition (MD-SUMC)

The position of the Ontario Family Caregivers' Advisory Network (OFCAN) regarding MAiD where Mental Disorder is the Sole Underlying Medical Condition (MD-SUMC), is that **MAiD should only be granted in the rarest of circumstances**.

The following are the reasons for OFCAN's position:

- Mental disorders are treatable. Medical Assistance in Dying (MAiD) is not treatment!
- There is not enough evidence to predict the course of individual patient outcomes and long-term prognosis nor to determine whether a mental illness has become a "grievous and irremediable medical condition".
- Severe mental illness leads to impairment in judgement, making it difficult in most cases to fully appreciate the ramifications of the decision to obtain MAiD.
- Even with clear guidelines, an assessment as to capacity and informed consent will be subjective as there is no definitive test to confirm capacity.

To address the concerns that family members/caregivers have when a person requests MAiD where MD-SUMC, we recommend the following:

- The person requesting MAiD must have a formal diagnosis and history of prior treatment/care that did not work and not simply refuse to get treatment.
- In the assessment of capacity, the assessors must have expertise in mental illness including substance use and addictions, with one familiar with the person and the history, trajectory, and treatment of their illness.
- Family caregivers must have input into the assessment of capacity and whether the patient's illness has become a grievous and irremediable medical condition, as they have extensive knowledge and expertise in their loved one's course of illness.
- We must ensure that people do not seek MAiD because of inadequate supports and treatment, including related to the social determinants of health.
- Addressing equitable access to compassionate, evidence-based, high-quality care, including education for patients and families must be the priority, before expanding MAiD where MD_SUMC.