

Living and Dying in the 21st Century: The Canadian Approach

Maureen McTeer

May 17, 2016

9:00am – 4:30pm

Outline

Over the past few decades, notions of paternalism in medicine have given way to greater patient autonomy and individual rights in Canada. From the right to refuse treatment, even where that might lead to our death, through to the current Bill before Parliament that would provide Canadians with access to medical assistance in dying in certain specific circumstances, public policy questions on health care abound.

This workshop grew out of Maureen McTeer's years as a health care and women's rights advocate. An original member of Canada's Royal Commission on New Reproductive Technologies and the author of the book *Tough Choices: Living and Dying in the 21st Century*, Ms. McTeer has for three decades been at the forefront of the public movement to involve Canadians in the discussion and decision-making of those societal issues where law, science and public policy intersect. As a long time adjunct professor of health law, she has lectured extensively in Canada and the US, with periods in-between at universities where she earned a Masters' in Health law from Dalhousie University and a Masters in Biotechnological Law and Ethics from the University of Sheffield in the UK. She has been awarded three honorary degrees from Athabasca University, Carleton University and the University of Sheffield.

The one day workshop she will lead will focus on one of the main issues of her current research, which is how we can maintain control of our health care decision-making at the end of our lives. This timely workshop takes place in the spotlight of the current debate taking place in Parliament on access to medical assistance in dying, which must become law by June 6th of this year.

This day long workshop will be divided into segments as follows:

- Topic 1 - the constitutional division of power in Canada - who is in charge of what, in the funding and delivery of health care?
- Topic 2 - patient rights then and now - a historical overview of patient decision-making
- Topic 3 - medical assistance in dying - the courts wade in - a study of the Rodriguez and Carter cases
- Topic 4 - Medical assistance in dying - Parliamentary (in)action and private initiatives
- Topic 5 - Medical Assistance in dying- the Quebec response
- Topic 6 - medical assistance in dying - the federal Parliamentary report
- Topic 7 - medical assistance in dying - the current Bill before Parliament
- Topic 8 - Keeping control at the end of life - future policy challenges

Required Reading List

Carter v Canada, 2015 SCC 5

<https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/14637/index.do>

"Provincial-Territorial Expert Advisory Group on Physician-Assisted Dying" (November 2015)

http://www.health.gov.on.ca/en/news/bulletin/2015/docs/eagreport_20151214_en.pdf

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

http://www.parl.gc.ca/content/hoc/Bills/421/Government/C-14/C-14_1/C-14_1.PDF

"Medical Assistance in Dying: A Patient Centred Approach", Report of the Special Joint Committee on Physician-Assisted Dying (February 2016)

<http://www.parl.gc.ca/content/hoc/Committee/421/PDAM/Reports/RP8120006/pdamrp01/pdamrp01-e.pdf>