

Canada's new assisted suicide bill doesn't allow visitors

14 April 2016, by By Rob Gillies



Canada's Health Minister Jane Philpott, right, speaks as Justice Minister Jody Wilson-Raybould listens at a news conference in Ottawa on Thursday, April 14, 2016. Canada has introduced a new assisted suicide law that will only apply to Canadians and residents, meaning Americans won't be able to travel to Canada to die. Visitors will be excluded under the proposed law announced Thursday, precluding the prospect of suicide tourism. Canadian government officials said to take advantage of the law the person would have to be eligible for health services in Canada. (Adrian Wyld /The Canadian Press via AP)

Canada on Thursday introduced a new assisted suicide law that will apply only to citizens and residents, meaning Americans won't be able to travel to Canada to die.

Canadian government officials said a person would have to be eligible for health services in Canada to take advantage of the law, which applies to "adults who are suffering intolerably and for whom death is reasonably foreseeable." It says the person must be mentally competent, 18 or older, have a serious and incurable disease, illness or disability and be in an advanced state of irreversible decline of

capability.

Canada's Supreme Court last year struck down laws that bar doctors from helping someone die, but put the ruling on hold while the government came up with a new law. The proposed law still requires approval in Parliament but is expected to pass, as Prime Minister Justin Trudeau's Liberal government controls the majority of seats.

Justice Minister Jody Wilson-Raybould said the law ensures that dying patients who are suffering unbearable pain have the choice of a peaceful death. Health Minister Jane Philpott, a doctor, said she has witnessed some people die miserably.

"This will have a positive, significant impact on the lives of Canadians," Trudeau said. "It is important to respect the choices made by Canadians."



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But Shanaaz Gokool of Dying with Dignity Canada, an organization promoting assisted suicide laws, said the law doesn't go far enough. She noted that a 16-year-old with cancer would not get a choice and that the law excludes people who have received a diagnosis of dementia or Parkinson's from making a request in advance for assisted suicide.

"We are deeply disappointed," Gokool said.

Assisted suicide is legal in Switzerland, Germany, Albania, Colombia, Japan and the U.S. states of Washington, Oregon, Vermont, New Mexico and Montana. California lawmakers also passed legislation, expected to take effect in June, where proof of California residency is required.

Anne Singer, a spokeswoman for Compassion & Choices, a nonprofit that promotes assisted suicide laws, said all U.S. states with assisted suicide laws have residency requirements.



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Oregon was the first U.S. state to make it legal for a doctor to prescribe a life-ending drug to a terminally ill patient of sound mind who makes the request. The state does not track how many terminally ill people move to the state to die. There is no minimum residency requirement, but a patient must prove residency to a doctor with documentation such as a rental agreement or a driver's license.

Germany's law applies to Germans and foreigners alike. Switzerland's law is valid for everyone in Switzerland, and people who take part in assisted suicides are not required to be residents or citizens, according to Justice Ministry spokesman Bernardo Stadelmann.

The Netherlands, Belgium and Luxembourg allow doctors, under strict conditions, to euthanize patients whose medical conditions have been judged hopeless and who are in great pain.

To get a doctor's help under Canada's proposed law, written request is required either from the patient or a designated person if the patient is incapable. The request would need to be signed by two independent witnesses. Two independent physicians or authorized nurse practitioners would have to evaluate it, and there would be a mandatory 15-day waiting period unless death or loss of capacity to consent was imminent.

Before the Supreme Court decision last year, it had been illegal in Canada to counsel, aid or abet a suicide, an offense carrying a maximum prison sentence of 14 years. But the top court said doctors are capable of assessing the competence of patients to consent, and found there is no evidence that the elderly or people with disabilities are vulnerable to being talked into ending their lives.

Quebec passed legislation last year after the court's decision, and Canadian judges elsewhere have given individual patients permission for assisted deaths.

The archbishop of Toronto, Cardinal Thomas Collins, called assisted suicide "killing."

"If we don't know the difference between helping a person medically when they are naturally dying and causing them to die, I think our society has lost its moorings," Collins said in an interview with The Associated Press. "That's very troubling. That's down a dark path when you describe something in a soothing way."

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