



ALBERTA

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*Deputy Premier  
Minister of Health  
MLA, Edmonton - Glenora*

**M.O. 38/2016**

WHEREAS the Supreme Court of Canada declared, in *Carter v Canada (Attorney General)*, that sections 241(b) and 14 of the *Criminal Code (Canada)* are void insofar as they prohibit physician-assisted death for a competent adult person who

- (a) clearly consents to the termination of life, and
- (b) has a grievous and irremediable medical condition that causes enduring suffering that is intolerable to the individual in the circumstances of his or her condition and that cannot be relieved by treatment that is acceptable to the individual;

WHEREAS the suspension of the Supreme Court's declaration expires on June 6, 2016;

WHEREAS the Government of Alberta will implement measures to regulate medical assistance in dying to ensure that

- (a) Albertans may exercise their rights to access medical assistance in dying,
- (b) appropriate safeguards will be in place to protect vulnerable Albertans, and
- (c) conscience rights are respected, while the rights of patients to access medical assistance in dying are ensured;

WHEREAS section 7 of the *Government Organization Act* authorizes a Minister to establish any boards, committees or councils that the Minister considers necessary or desirable to act in an advisory or administrative capacity in connection with any matters under the Minister's administration;

WHEREAS it is desirable to establish a Medical Assistance in Dying Regulatory Review Committee to review the regulation and practice of medical assistance in dying in Alberta and make recommendations to the Minister;

THEREFORE, I, Sarah Hoffman, Minister of Health, pursuant to section 7 of the *Government Organization Act*, hereby establish the Medical Assistance in Dying Regulatory Review Committee with terms of reference and membership as set out in the attached Appendix.

This Ministerial Order is effective upon signing.

DATED at \_\_\_\_\_, Alberta this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Original Signed June 7, 2016

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**SARAH HOFFMAN**  
**MINISTER**

## APPENDIX

### MEDICAL ASSISTANCE IN DYING REGULATORY REVIEW COMMITTEE

#### 1. Terms of Reference

1.1 The functions of the Medical Assistance in Dying Regulatory Review Committee (the "Committee") are to, within one year or as required by the Minister, review and report to the Minister with advice and recommendations respecting the following:

- (a) the regulatory framework within Alberta with respect to medical assistance in dying;
- (b) the planning and delivery of health services related to medical assistance in dying;
- (c) any other matters relating to medical assistance in dying requested by the Minister.

1.2 The Committee may, in a report, make recommendations to the Minister respecting any matter under the Minister's administration relating to medical assistance in dying.

1.3 A report of the Committee must not disclose the name of, or any identifying information about, a person to whom medical assistance in dying was provided or any individual involved in providing or aiding in the provision of medical assistance in dying to a person.

#### 2. Membership

2.1 The following persons are appointed as members of the Committee:

- (a) the Chief Medical Examiner, or a medical examiner designated by the Chief Medical Examiner;
- (b) the registrar, or a designate of the registrar, of the following colleges:
  - (i) College of Physicians and Surgeons of Alberta;
  - (ii) College and Association of Registered Nurses of Alberta;
  - (iii) Alberta College of Pharmacists;
- (c) a representative of Alberta Health Services.

2.2 The Minister may appoint additional members of the Committee, for the terms of office determined by the Minister, as the Minister considers necessary to assist with the work of the Committee.

2.2 The Minister may select the chair of the Committee from among the members of the Committee.

#### 3. Records

3.1 The Chief Medical Examiner or the medical examiner designated under section 2.1(a) will, on behalf of the Committee, receive records submitted to the Committee by regulated members of a college pursuant to their standards of practice.

3.2 Staff members of the Office of the Chief Medical Examiner designated by the Chief Medical Examiner will provide administrative support, including records management support, to the Committee as required.