

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

2ND SESSION, 41ST LEGISLATURE, ONTARIO  
66 ELIZABETH II, 2017

# Bill 129

## **An Act to amend the Regulated Health Professions Act, 1991 with respect to medical assistance in dying**

**Mr. J. Yurek**

**Private Member's Bill**

1st Reading      May 3, 2017

2nd Reading

3rd Reading

Royal Assent



## EXPLANATORY NOTE

The Bill amends the *Regulated Health Professions Act, 1991*.

Member participation in medical assistance in dying shall be voluntary.

A member shall not be subject to civil, administrative, disciplinary, employment, credentialing, regulatory or other sanction or penalty, or loss of privileges, loss of membership or any other liability for refusing to participate in medical assistance in dying.

Participation includes, but is not limited to, performing, assisting in the performance of or making a referral for any activities related to, or for the purpose of, medical assistance in dying.

Participation does not include the provision, upon request, of information about services that can provide access to medical assistance in dying, of a patient's relevant medical record to the patient, or communicating, to the appropriate person in authority, a patient's request for a complete transfer of care so that the person in authority can facilitate the transfer.

**An Act to amend the Regulated Health Professions Act, 1991  
with respect to medical assistance in dying**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1 The *Regulated Health Professions Act, 1991* is amended by adding the following section:**

**Medical assistance in dying**

**29.2** (1) Member participation in medical assistance in dying shall be voluntary.

**Definition**

(2) In this section,

“medical assistance in dying” means medical assistance in dying within the meaning of section 241.1 of the *Criminal Code* (Canada).

**No penalty**

(3) A member shall not be subject to civil, administrative, disciplinary, employment, credentialing, regulatory or other sanction or penalty, or loss of privileges, loss of membership or any other liability for refusing to participate, directly or indirectly, in medical assistance in dying.

**Clarification**

(4) For the purposes of this section, participate includes, but is not limited to, performing, assisting in the performance of or making a referral for any activities related to, or for the purpose of, medical assistance in dying.

**Same**

(5) For the purposes of this section, participate does not include the provision, upon request,

- (a) of information about services that can provide access to medical assistance in dying;
- (b) of a patient’s relevant medical record to the patient; or
- (c) communicating, to the appropriate person in authority, a patient’s request for a complete transfer of care so that the person in authority can facilitate the transfer.

**Conflicts with other legislation**

(6) In the event of a conflict between this section and other legislation, this section prevails.

**Commencement**

**2 This Act comes into force on the later of the day Bill 84 (*Medical Assistance in Dying Statute Law Amendment Act, 2016*, introduced on December 7, 2016) receives Royal Assent and the day this Act receives Royal Assent.**

**Short title**

**3 The short title of this Act is the *Regulated Health Professions Amendment Act (Freedom of Conscience in Health Care), 2017*.**