

April 7, 2021

Dear Minister Elliott and all PC Members of Provincial Parliament:

We represent over 1000 doctors who endorsed our *Physicians Together with Vulnerable Patients*⁽¹⁾ statement decrying Bill C-7 and the inherent risks it poses to the lives of many Canadians.

We urgently entreat the PC Ontario government to enact conscience protection legislation for health care workers in view of Bill C-7 having received royal assent March 17, 2021, which expands access to medical assistance in dying (MAiD) to those with chronic illness, disability and mental illness⁽²⁾.

Canada's approach has always been to honour freedom of conscience. In fact, the legislative preamble of Bill C-14 had made clear that, in matters of conscience, the Canadian Charter of Rights and Freedoms should continue to set the precedent, and a clause inserted into the code stated that participation in MAiD should be voluntary⁽³⁾.

In spite of this, the College of Physicians and Surgeons of Ontario (CPSO) has an intolerant policy that requires practitioners to create a pathway for death via effective referral⁽⁴⁾.

Everyone should be able to understand the dilemma this policy poses.

Imagine having a young 25-year-old woman with rheumatoid arthritis request MAiD. The practitioner knows from past experience and professional expertise that there are many treatments left to offer and the patient will likely go on to have a meaningful and happy life. What right does anyone have to demand that the practitioner create a pathway for MAiD? Who could deny that a practitioner wanting to instead focus on providing good care and fostering resilience in their vulnerable patient is trying to practice good medicine ?

Other jurisdictions globally and even other Canadian provinces have systems that respect an individual's conscience while maintaining patient access to controversial services⁽⁵⁾. Ontario could draw on systems already developed to protect conscience.

We request the government create respectful policy reconciliation immediately for health care workers in all patient settings.

We also need conscience protection legislation. The CPSO has attempted to enact their "effective referral" policy before this (in 2008) and our health care workers deserve assurances that they can continue to work in Ontario without the policy changing yet again^(6,7).

Given how our health care workers have risked their lives during the COVID pandemic, it is alarming that the Ministry of Health has failed to ensure their charter rights are protected.

As the Council of Canadian Academies pointed out, if conscientious objectors are not protected, individuals who value moral integrity will not enter medicine ⁽⁸⁾. We believe the majority of Ontarians, as evidenced by a 2019 Angus Reid poll ⁽⁹⁾, would concur with the Council of Canadian Academies and want the beliefs and values of the population reflected in their health care workers.

We'd remind the party that conscience legislation was Minister Elliott's platform for the Premier race and the precedent of the PC party as set by MPP Yurek's private member's bill in 2017 ^(10,11). Also, it is Ontario PC platform policy ⁽¹²⁾.

We respectfully ask for conscience rights legislation for our health care workers in order to earn our votes at the upcoming election.

Sincerely,

Dr Ramona Coelho
Co-founder of Physicians Together with Vulnerable Canadians

References;

- 1: Physicians Together with Vulnerable Canadians (2019) *MAiD2MAD Statement*. [Internet] Accessed April 7th 2021. <https://maid2mad.ca/>
- 2: Parliament of Canada. (March 17, 2021). *Bill C-7*. [Internet] Accessed April 7th 2021. <https://parl.ca/DocumentViewer/en/43-2/bill/C-7/royal-assent>
- 3: Parliament of Canada. (June 17, 2016). *Bill C-14*. [Internet] Accessed April 7th 2021. <https://www.parl.ca/DocumentViewer/en/42-1/bill/C-14/royal-assent>
- 4: College of Physicians and Surgeons of Ontario. (December 2018). *Medical Assistance in Dying*. [Internet] Accessed April 7th 2021. <https://www.cpso.on.ca/Physicians/Policies-Guidance/Policies/Medical-Assistance-in-Dying#:~:text=Conscientious%20Objection,provide%20MAiD%20under%20any%20circumstances>
- 5: attached: CMA submission to CPSO for appendix
- 6: College of Physicians and Surgeons of Ontario. (September 2008). *Physicians and the Ontario Human Rights Code* [Internet]. Accessed April 7th 2021 <https://www.consciencelaws.org/archive/documents/cpso/2008-09-18-cpso-physicians-hrcode.pdf>
- 7: Conscience pro. (Jan 2021). YouTube. *CPSO: Professional Obligations & Human Rights- Public Consultation Timeline (2014-2015)* [Internet]. Accessed April 7th 2021.
- 8: Council of Canadian Academies. (2019) The Expert Panel Working Group on Advance Requests for MAiD. *The State of Knowledge on advance Requests for Medical assistance in dying* Accessed April 7th 2021 <https://cca-reports.ca/wp-content/uploads/2019/02/The-State-of-Knowledge-on-Advance-Requests-for-Medical-Assistance-in-Dying.pdf>
- 9: Angus Reid Poll summary attachment for appendix
- 10: Legislative Assembly of Ontario. (2017) *Bill 129, Regulated Health Professions Amendment Act (Freedom of Conscience in Health Care), 2017*. Accessed April 7th 2021. <https://www.ola.org/en/legislative-business/bills/parliament-41/session-2/bill-129>
- 11: appendix of support for Jeff Yurek's Bill 129
- 12: Gibson V. (Feb 26, 2020) *Ontario PC members rubber stamp call for conscience rights legislation, as new federal MAiD bill rolls out*. [Internet] Accessed April 7th 2021. <https://ipolitics.ca/2020/02/26/ontario-pc-members-rubber-stamp-call-for-conscience-rights-legislation-as-new-federal-maid-bill-rolls-out/>