

Witnessing the Record of Request for Medical Assistance in Dying

This FAQ is intended to provide general information and guidelines for witnessing a Record of Request for Medical Assistance in Dying (MAID). If you have specific questions not answered in this FAQ please email maid.careteam@ahs.ca.

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Information for everyone

Q What is a Record of Request?

A In Alberta, the [Alberta Health Record of Request](#) is completed by an individual interested in applying for MAID. It's considered a formal request and starts the application process.

Q Is the Record of Request a consent form where the patient agrees to receive medical assistance in dying?

A No, The Record of Request is solely a written, formal request to receive services. If later in the process, the patient is deemed eligible for MAID and after an “informed consent” discussion, they choose to receive the service, the patient will be required to sign an **AHS Consent to Treatment Plan or Procedure form**.

Q Who is eligible to be a witness on the [Alberta Health Record of Request](#)?

A The Record of Request requires ONE independent witness. In order to be a witness, the individual must meet the following criteria:

- is at least 18 years old;
- understands the nature of the request;
- knows the individual making the request for MAID or has been provided proof of their identity;
- can verify that the individual making the request for MAID (or their proxy) signed the Record of Request in their presence.
- does not know or believe they are a beneficiary under the Will of the individual making the request for MAID; or are a recipient of financial or material benefits resulting from their death;
- is not an owner or operator of a health care facility where the individual making the request for MAID lives or is receiving care; and
- is not the physician or nurse practitioner who will be doing the assessment for or providing medical assistance in dying to the individual making the request for MAID.

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Q Does the Record of Request need to be witnessed by a lawyer or notarized?

A No, the Record of Request needs to be signed by:

- the individual making the request for MAID or their proxy in the event they are not able to sign; and
- an independent witness who meets the criteria listed in the “Who is eligible to be a witness on a Record of Request?” question above.

Q How many people are required to be a witness?

A As of March 17, 2021 one witness is required on the Record of Request.

Q What is the role of an independent witness?

A The role of an independent witness is only to provide confirmation that the Record of Request is signed by the individual making the request for MAID or their proxy, and that they understand what they are signing. The independent witness is not agreeing to or supporting MAID in general.

Q I do not know anyone who can be a witness, what do I do?

A If you are unsure or do not know anyone who can be a witness on the Record of Request, email maid.careteam@ahs.ca. The MAID Care Coordination Team may be able to suggest organizations who may help.

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Information for Health Care Providers

Q I am a Health Care Provider at the facility where the individual requesting medical assistance in dying lives. Can I be a witness on the Record of Request?

A Any health professional, regardless if they are providing direct care or not, is free to sign as an independent witness should they meet all of the criteria outlined in the “Who is eligible to be a witness on a Record of Request?” question above.

If you have no personal objections and your facility policy allows you to be a witness on legal documents, you can witness a Record of Request. You cannot be a witness if:

- you are the owner or operator of the facility; or
- you will be assessing the individual for MAID eligibility or will be providing MAID to the individual.

Q Does AHS require me to be an independent witness for a patient requesting MAID?

A No, AHS does not require health care professionals to act as independent witnesses. You may choose to be an independent witness if you have no objections and your facility policy allows you to be an independent witness.