

When it comes to your health care, who will speak for you if you cannot speak for yourself?

WHAT is Advance Care Planning in Ontario?

Deciding who will make future health care decisions for you if you are unable to. This will be your substitute decision maker (SDM) and in Ontario there are two ways to determine your SDM:

- Confirming your automatic future SDM from the hierarchy (see back of page for ranking list) **OR**
- Choosing someone else to act as your SDM by preparing a Power of Attorney for Personal Care (a legal document).

Discussing with your SDM (and loved ones) your wishes, values and beliefs, and anything else that will help your SDM understand how you would like to be cared for in the event you are mentally incapable of making health care decisions for yourself.

WHY is Advance Care Planning Important?

Under Ontario law, before health care is provided to you, the health care practitioner must get informed consent. Consent must come from you or from your SDM (if you are mentally incapable). Informed consent comes from a person – not a piece of paper.

92% of local Waterloo Wellington residents believe Advance Care Planning conversations will make it easier for loved ones (Community Survey 2015).

The benefits of Advance Care Planning include:

- Improved satisfaction with health care received,
- Decreased stress, anxiety and depression for the SDM.¹

Having conversations with your SDM about your wishes will help guide them in making health care decisions for you if you are mentally incapable of making health care decisions for yourself.

95% of local Waterloo Wellington residents believe having Advance Care Planning conversations make good sense (Community Survey 2015).

HOW can we help?

Conversations Worth Having is a 3 year project dedicated to increasing understanding and knowledge about advance care planning and health care consent. We want to work with you to continue to provide the information, resources and activities you need to have correct advance care planning conversations. *Decide who will be your future SDM and start the conversations!*

The Hierarchy of Substitute Decision Makers (SDMs)

Health Care Consent Act s.20

Your SDM is the person or persons who are the *highest ranking* in the hierarchy below AND meet the *requirements* to act as Substitute Decision Maker.

1. Guardian of the Person
2. Attorney named in Power of Attorney for Personal Care
3. Representative appointed by the Consent and Capacity Board
4. Spouse or partner
5. Child or Parent or CAS (person with right of custody)*
6. Parent with right of access
7. Brother or sister*
8. Any other relative*
9. Office of the Public Guardian and Trustee

*When a person has multiple family members at the same level on the hierarchy (e.g., several children) health care providers cannot choose or require that only one act as the SDM. Equally ranked SDMs may amongst themselves choose to have one or more of them act as the SDM. If more than one equally ranked SDM wants to act they all must agree on any decisions for you. If they cannot agree, then the health care provider would turn to the Public Guardian and Trustee for your health care decisions.

When do SDMs make health care decisions?

SDMs only make health care decisions for you if you are deemed mentally incapable by the health care professional offering the treatment.

Requirements to be an SDM

The person(s) highest in the hierarchy can act as an SDM only if he/she is:

- a. Mentally capable with respect to treatment proposed,
- b. 16 years of age unless he/she is the parent of the incapable person,
- c. Not prohibited by court order or separation agreement from having access to the incapable person or giving or refusing consent on his/her behalf,
- d. Available, and
- e. Willing to assume the responsibility of giving and refusing consent

Questions or a story to tell? Contact us.

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