

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

### The Waterloo Wellington Advance Care Planning (ACP) Education Program “Conversations Worth Having” is...

A three year initiative funded by the Waterloo Wellington Local Health Integration Network. This program is designed to engage the general public, community professionals and health care providers to build understanding and capacity for correct ACP practices across Waterloo Region and Guelph/Wellington.

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

### 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:

1. Confirming your automatic future SDM from the hierarchy (see back of page for ranking list) found within the Ontario legislation under the Health Care Consent Act **OR**
2. Choosing someone else to act as your future 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 ACP important?

Before providing treatment, health practitioners must get informed consent from the patient or from their SDM (if patient is not mentally capable).

Studies have shown that ACP conversations can improve the quality of care and have a lasting positive impact on the entire family.<sup>1</sup> ACP conversations are not consents BUT do provide important information about your patient's wishes and preferences that will guide the future SDM in making health care decisions when your patient is not mentally capable of making health care decision for themselves.

### WHAT is your role as a professional?

1. Encourage your patients to DECIDE who their future SDM will be.
2. Encourage your patients to DISCUSS with their SDM and loved ones about their wishes, values and beliefs.

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

### HOW can we help?

The **Conversations Worth Having Program** is available to provide you with the resources, support and education needed to build your capacity for ACP conversations as an individual, a potential SDM and/or as a professional. We are working with key stakeholders and influencers in both the community and health care sectors to inform the strategies and resources needed to increase understanding and build the skills to ensure correct advance care planning practices.

# The Hierarchy of Substitute Decision Makers (SDMs)

Health Care Consent Act s.20

A patient's SDM is the person(s) in that particular patient's life who is the *highest* ranking in the hierarchy and meets the *requirements* to act as an SDM.

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 person wants to act as SDM they must agree on any decisions for patient. If they cannot agree, then the health care provider would turn to the Public Guardian and Trustee for the patient's healthcare decisions.

## When do SDMs make health care decisions?

SDMs only make health care decisions for a patient if the patient is 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.

**Sheli O'Connor**  
Program Lead  
sheli@hospicewaterloo.ca  
519-743-4114 x111

**Jessica Hutchison**  
Community Engagement Lead  
jessica@hospicewaterloo.ca  
519-743-4114 x123

**Ashley Tyrrell**  
Health Care Engagement Lead  
ashley@hospicewaterloo.ca  
519-743-4114 x128

