
ADVANCE CARE PLANNING & ADVANCE DIRECTIVES:

Provincial Definitions and Planning

Ministry of Health

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Glossary

Advance Care Planning (ACP)- *the process* of a capable adult talking over their beliefs, values, and wishes about the health care they wish to consent to or refuse, with their health care provider and/or family, in advance of a situation when they are incapable of making health decisions. On Sept. 1, 2011, in addition to being able to name a representative in a representation agreement (RA), an adult will be allowed to make an advance directive.

Advance Care Plan- a *written summary* of the capable adult's advance care planning conversation and wishes to guide their temporary substitute decision-maker or representative, if called to make a health care decision in the event the adult is incapable of making decisions. May include advance directive &/or Rep Agreement

Glossary, continued

- **Advance Directive (AD)**- a written instruction made by a capable adult that gives or refuses consent to health care directly to the health care provider (HCP) if no named Representative.
- If a Representative is named, the Representative must treat the AD as the adult's wishes, unless the adult has provided in the RA that the HCP may act on an AD without the consent of the Representative.

Glossary, continued

Temporary Substitute Decision-Maker (TSDM) – a family member or friend who is legally qualified and available to make health care decisions on behalf of an incapable adult. The health care provider (HCP) must choose a TSDM from the list in the Health Care Consent and Care Facility Admission Act in the order given.

Representative – a person named by a capable adult to make health care decisions on behalf of the adult if they become incapable.

Representation Agreement (RA)- the document in which a capable adult names a representative and sets out the type and scope of decisions that the representative may make on behalf of the adult if the adult becomes incapable.

ADVANCE DIRECTIVES LEGISLATION

On September 1, 2011, three scenarios will exist for capable adults to make future health decisions with Provincial *My Voice*:

- 1) Advance Care Planning conversation held between patient, physician and/or trusted family/friend; then patient may choose to write advance care plan stating their beliefs, values, wishes for health decisions; (doesn't make advance directive or representation agreement). **WHO DECIDES FOR THE INCAPABLE ADULT?**
 - ***Temporary substitute decision-maker makes health decisions with MD or health care provider per 'wishes,' OR***

- 2) ACP conversation held; then patient chooses to write advance care plan and decides to name a representative in a representation agreement to present their wishes. **WHO DECIDES FOR THE INCAPABLE ADULT?**
 - **Representative makes health decisions with MD, OR**

ADVANCE DIRECTIVES LEGISLATION

3) ACP conversation held between capable adult and physician, and/or family/friend; then patient chooses to write advance directive; patient may or may not decide to name a representative. WHO DECIDES FOR THE INCAPABLE ADULT?

- **If patient has an advance directive but no representative:**
 - Physician follows advance directive as long as it addresses the care required;
 - TSDM needed if advance directive does not address the health issue

- **If patient has both advance directive and representative:**
 - Physician must obtain health care decision from representative, unless adult has provided in the RA that the HCP may act on an AD without the consent of the Representative

If the patient has not done, or does not want to do ACP:

- Physician or other care provider must choose a qualified temporary substitute decision- maker from list in HCCCFAA

Temporary Substitute Decision-Makers

The order below matters! (*List as of September 1, 2011*)

- ✓The adult's spouse
- ✓The adult's child (may be any child; birth order not relevant)
- ✓The adult's parent
- ✓The adult's brother or sister (any sibling; birth order not relevant)
- ✓The adult's grandparent
- ✓The adult's grandchild (any grandchild; birth order not relevant)
- ✓Anyone else related by birth or adoption to the adult
- ✓A close friend of the adult
- ✓A person immediately related to the adult by marriage.

The TSDM must be at least 19, been in contact with the adult in past 12 months, have no disputes with adult, be capable of giving, refusing or revoking consent, be willing to comply with duties in **Part 2, section 19 of the Act**

Provincial Planning Initiatives

- Updated *Health Care Provider's Guide to Health Care Consent (2000)*
- Provincial PPT resource based on Guide
- Provincial *Advance Care Planning workbook/guide*
- ACP video & brochure for health care providers, public
- Translation of resources being considered
- *One-stop ACP shop* with public information, tools, resources, FAQs (Seniors BC, MoH & HA web sites, others)
- HealthLink BC: ACP awareness via tele-nurses, web site
- MoH dissemination strategy
- MoH and health authority working groups

QUESTIONS?