

Temiskaming Hospital

September 23, 2009

How and Why Would You Appoint a Substitute Decision Maker?

To give someone power to act on your behalf, you must appoint them to be your substitute decision-maker in writing, through a document called a Power of Attorney for Personal Care.

The person you appoint is called your attorney for personal care - this is a specific type of substitute decision-maker. You can appoint more than one substitute decision-maker, and you can direct them to make decisions together or separately.

If you do not appoint an attorney for personal care, your health care providers must get consent or refusal of consent for treatment from the first person available to act for you from a hierarchy of substitute decision-makers set out by law. The highest ranking person on this list who is available, capable and willing to make these decisions will become your substitute decision-maker for treatment:

- Your spouse, common-law spouse or partner
- Your child (if they are 16 years of age or older) or parent
- Your parent with right of access only (Custodial parents rank ahead of non-custodial parents)
- Your brother or sister
- Any other relative by blood, marriage or adoption
- The Office of the Public Guardian and Trustee.

The provincial Public Guardian and Trustee is the substitute decision-maker of last resort if there is no other appropriate person to act for you.

If there is more than one person at the highest level, then all of them act as your substitute and must either make decisions as a group or select one group member to act for the rest. For example, if you have three sisters and they are the highest-ranking substitutes, they all have to agree on health decisions for you or decide among themselves that one sister will act as substitute decision maker. If they all want to act as substitutes and cannot agree on a health care decision, health practitioners must turn to the Public Guardian and Trustee for health care decisions.

It is important to designate a substitute decision-maker through a Power of Attorney for Personal Care to ensure you have a person of **your** choice making decisions about **both** your health care and other aspects of your personal care.

For more information about substitute decision makers, please go to the Ontario Seniors' Secretariat website at <http://www.culture.gov.on.ca/seniors/english/programs/advancedcare/how.shtml>.



Temiskaming Hospital
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Please refer complaints to the Patient Relations Representative at (705) 647-1088, extension 2221.