REMEMBER

Whether you know it or not, all people incapable of making personal health care decisions have a SDM. The SDM ranking in Ontario is similar to:

1) A court appointed SDM
2) Power of attorney for personal care
3) Someone appointed by the Consent and Capacity Board
4) Spouse or common law partner
5) Your children or your parent
6) Parent with right of access
7) Your brothers or your sisters
8) Any other relative

If there is no one to fill the role of SDM then the office of the Public Guardian and Trustee will assume control. You have the right to choose someone else or someone other than those listed. You can do this using a document called a **power of attorney for personal care**. You do **NOT** need a lawyer to choose a Substitute Decision Maker.

Photo: Health Canada/Santé Canada 2011

For more information on being an SDM or advance care planning please contact:

www.advancecareplanning.ca

www.fraserhealth.ca

www.acelaw.ca

www.e-laws.gov.on.ca *(Health Care Consent Act, Substitute Decision Act)*

This brochure was prepared for use in Ontario. People living in other provinces or territories should consult the appropriate legislation. This brochure can be adapted to your jurisdiction.

Disclaimer: This material was prepared by the Improving End-of-Life Care in First Nations Communities research project and intended to provide general information. The contents does not constitute legal advice or legal recommendations and should not be relied upon as such.

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CIHR IRSC Canadian Institutes of Health Research

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I HAVE BEEN ASKED TO BE A SUBSTITUTE DECISION MAKER (SDM) IN ONTARIO

WHAT DOES THAT MEAN?

www.eolfn.lakeheadu.ca

WHAT IS A SUBSTITUTE DECISION MAKER (SDM)?

Someone who makes health care decisions for another person in the event the person is **mentally incapable** of making a health care decision.

The health care provider involved in the care of the person will use the Health Care Consent Act to determine if the person is mentally incapable.

A Substitute Decision Maker is willing and available, and listed on the Ontario SDM ranking.

Someone who is at least 16 years of age. More than one person can share the responsibility of SDM.

You can choose someone (or more than one person) to be your Substitute Decision Maker by preparing a Power of Attorney for Personal Care.

WHO CANNOT BE A SDM?

Someone who is paid to provide health care, residential, social, training or support services (such as your doctor, landlord or social worker).

Someone who is mentally incapable.

I HAVE AGREED TO BE A SUBSTITUTE DECISION MAKER ... WHAT NOW?

Be available when needed to make decisions.

Maintain contact with the person who has named you their substitute decision maker.

Continue to have conversations with the person as their values and beliefs may change over time.

Reflect on the values, beliefs and wishes of the person.

Be mindful and aware of your own beliefs and values and how these may impact your decisions.

Be aware of where any important documents are stored.

Know that a SDM has no authority to make financial decisions.

Understand that health conditions are complex and it is not possible to discuss or anticipate every situation. Continued conversations with the individual while they are **capable**, will guide you to making the best decision.

If there is more than one substitute decision maker, **promote conversations** to lesson or ease conflict and stress when decisions are being made.

WHAT ARE MY RIGHTS AS SUBSTITUTE DECISION MAKER?

You should **only** be asked to give consent for a treatment when the person is **mentally incapable**.

You have the right to say no or withdraw from being someone's substitute decision maker.

You have the right to know the benefits, risks and alternatives of any course of treatment.

You have the right to refuse treatments being suggested.