

INSTRUCTIONS

Consult with Ethics or Risk Management if there are questions about who is legally entitled to give/refuse consent.

WHEN COMPLETING THIS DOCUMENT:

Referring to the hierarchy below, start at the top and move down the list until there is an identifiable person or persons. These are the highest ranking 'eligible' substitute decision makers for the patient in the event of their incapacity. Document all individuals you can identify at this level. Ensure legibility.

ALL ranking 'eligible' decision makers must be documented. Where potential decision maker is either (a) unavailable, (b) unwilling, or (c) incapable, document this in the comments section.

If ALL 'eligible' decision makers at a given level are either (a) unavailable, (b) unwilling, or (c) incapable, ALSO document the next ranking decision maker(s) you can identify. (e.g. if spouse is incapable, document their name, and then document any available children or parents as the next level)

Where multiple SDMs exist, "Primary" contact can only be checked if we can verify all eligible SDMs are in agreement of who will be the contact person(s). The conversation must be documented in the progress notes in the Health Care Record. If primary contact is not a SDM, document this in the comments section of the form.

If no one can be identified at ANY level, make a note in the comments section of the form and contact the Public Guardian and Trustee for consent decisions.

LEVEL	RELATION	DOCUMENTATION
Level 1	Court appointed Guardian of the Person	Necessary
Level 2	Power of Attorney for Personal Care	Necessary
Level 3	Representative of the CCB	Necessary
Level 4	Spouse or Partner	
Level 5	Child/Parent/Children's Aid Society	
Level 6	Parent with only a right of access	
Level 7	Brother or Sister	
Level 8	Any other relative	

DEFINITIONS:

Spouse - (a) they are married to each other; or

(b) they are living in a conjugal relationship outside marriage and

(i) have cohabited for at least one year,

(ii) are together the parents of a child, or

(iii) have together entered into a cohabitation agreement under section 53 of the Family Law Act. 1996

Partner - either of two persons who have lived together for at least one year and have a close personal relationship that is of primary importance in both persons' lives.

Power of Attorney for Personal Care - a person who is designated by the patient to make decisions on their behalf. This requires a signed and witnessed legal form. This is distinct from a Power of Attorney for Finances or an Executor of Estate.

Relative - two persons are relatives if they are related by blood, marriage or adoption.