**SUBSTITUTE DECISION MAKER PAMPHLET**

It is important to incorporate pictures, logos, language and legislation that are specific to your community. Be aware that legislation about ACP and SDM acts or laws are very specific to each province and territory of Canada and information for your own area may differ from that included in the presentation. It is important to familiarize yourself with your local/provincial legislation on ACP and substitute decision acts and adapt the pamphlets, poster and presentation as needed. For example in Ontario a substitute decision maker has to be at least 16 years of age or older and in Saskatchewan a substitute decision maker is called a proxy and has to be at least 18 years of age.

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

WHAT DOES THAT MEAN?

WHAT IS A SUBSTITUTE DECISION MAKER (SDM)?

Someone who makes health care decisions for another person in the event the person is **not mentally capable** of making a health care decision.

There are **certain requirements** that must be met under the Health Care Consent Act for you to be considered not mentally capable.

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 in 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.

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 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.

References:

Websites, phone #’s, addresses