

What is the process for making treatment decisions?

A treatment decision is a decision to consent to or refuse a treatment.

If you are 18 years of age or older and capable of making your own decisions, you must make your own treatment decisions.

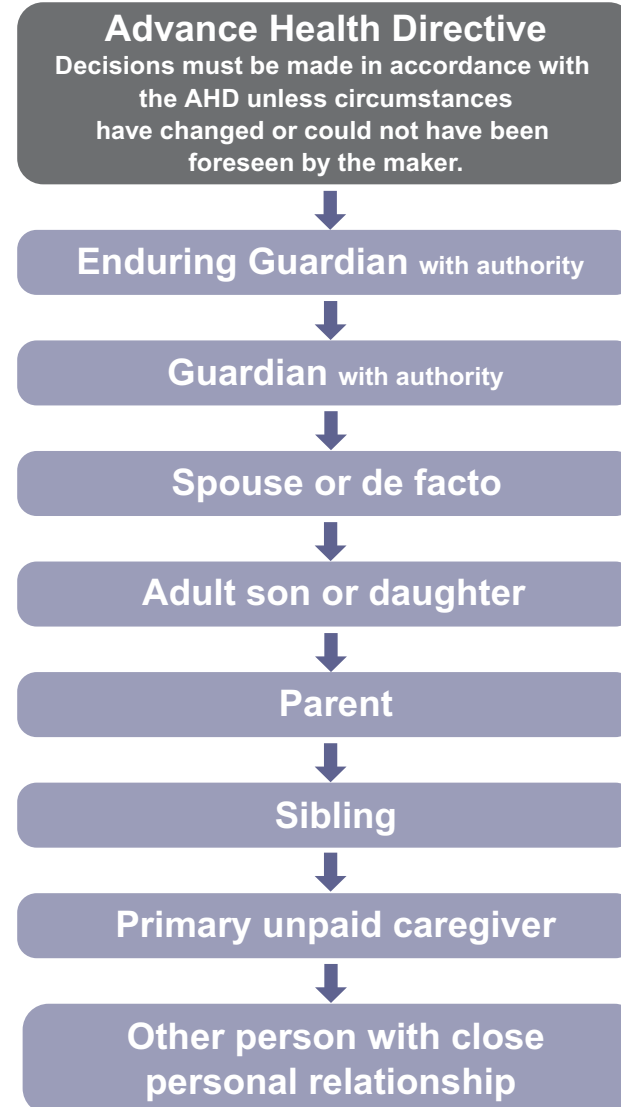
If you are unable to make decisions for yourself and non-urgent treatment is needed, treatment decisions will be made according to the 'hierarchy of decision makers' (opposite).

If you do not have an appropriate or valid AHD, the health professional will seek a treatment decision from the first person on the list who is 18 years of age or older, has full legal capacity and is willing and available to make the decision.

What if you need urgent treatment?

If urgent treatment is required to save your life or prevent unnecessary pain, health professionals can provide this treatment without seeking consent. However they will need to seek consent for ongoing treatment.

Hierarchy of decision makers



Where an AHD does not exist or does not cover the treatment decision required, the health professional must obtain a decision for non-urgent treatment from the first person on the list who is 18 years of age or older, has full legal capacity and is willing and available to make the decision.

Resources are available to help you make an AHD and appoint an Enduring Guardian.

For further information about AHDs contact:

Department of Health
PO Box 8172
Perth Business Centre, Perth WA 6849
T: (08) 9222 2300
E: chiefmedicalofficer@health.wa.gov.au
I: www.health.wa.gov.au/advancehealthdirective

For further information about EPGs and appointing an Enduring Guardian contact:

Office of the Public Advocate
Level 1, 30 Terrace Road, East Perth WA 6004
PO Box 6293, East Perth WA 6892
T: 1300 858 455, TTY: 1300 859 955
F: (08) 9278 7333
E: opa@justice.wa.gov.au
I: www.publicadvocate.wa.gov.au

This document can be made available in alternative formats such as computer disc, audio tape or Braille, on request.



Department of the Attorney General
Department of Health

New laws offering you choices to:

- make an Advance Health Directive
- appoint an Enduring Guardian



Delivering a Healthy WA



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A joint initiative between the Department of Health and the Office of the Public Advocate

Until recently in Western Australia, planning for how decisions would be made on your behalf if you lost the ability to make them for yourself, was limited to financial and property matters, through making an Enduring Power of Attorney. The introduction of new laws has seen this planning ability widened.

Advance Health Directives (AHDs) and Enduring Powers of Guardianship (EPGs)* enable you to plan for personal, lifestyle and treatment decisions.

Making an Advance Health Directive enables you to set out what medical, surgical or dental treatment and other health care you would, or would not want to receive if you become unable to make decisions or communicate your wishes. In this event, your AHD will speak for you.

Appointing an Enduring Guardian/making an Enduring Power of Guardianship enables you to choose one or more people to make personal, lifestyle and treatment decisions on your behalf if you become unable to make or communicate them yourself. You can give your Enduring Guardian the power to make all, or some of these decisions.

To make an Advance Health Directive or to appoint an Enduring Guardian, you must be at least 18 years of age and able to make your own decisions. You may not make an AHD or appoint an Enduring Guardian for someone else.

*Provisions to enable these new powers are included in the *Guardianship and Administration Act 1990*.

What is an Advance Health Directive (AHD) and what can it offer you?

- An AHD is a legal document in which you set out your decisions about your future treatment.
- You can give or withhold consent for specific medical, surgical or dental treatment or other health care.
- Your AHD will only apply to the treatments that you specify.
- Your AHD will only be used if and when you become unable to make a treatment decision for yourself.
- Any decisions you make in your AHD must be followed by health professionals except in very limited circumstances.
- If you do not have an applicable or valid AHD, the legislation sets out who will be asked to make treatment decisions on your behalf.
- For more information or to obtain a copy of the AHD form, contact the Department of Health (contact details overleaf).

What is an Enduring Power of Guardianship (EPG) and what can it offer you?

- An EPG is a legal document in which you appoint one or more persons as Enduring Guardian to make personal, lifestyle and treatment decisions on your behalf.
- Your EPG will only be used if and when you become unable to communicate your wishes or make decisions for yourself.
- You should appoint someone you know and trust. For example, your spouse/partner, other relative or close friend.
- You should ensure your Enduring Guardian is aware of your personal beliefs and preferences about your lifestyle.
- You can choose the decisions your Enduring Guardian will be able to make, such as where you live and what treatment and services you receive.
- If you give your Enduring Guardian the power to make treatment decisions for you and you have also made an AHD, treatment decisions will be made in accordance with your AHD and not by your Enduring Guardian.
- For more information or to obtain a copy of the EPG form, contact the Office of the Public Advocate (contact details overleaf).