

# Planning and Preparing: Decision Making in Ontario

*Being prepared can help you to cope if the person you are caring for becomes incapable of making decisions on their own. Preparation ahead of time can make things much easier in the future.*

## Understand and Follow the Wishes of the Person you are Caring For

- Talk with the person you are caring for as much as you can about their wishes, values and what is important to them in how they want to be cared in their illness. This can be a difficult conversation. Your role is to follow their wishes. See this easy guide: <http://makingmywishesknown.ca>

## DECISION MAKING

- It can make life easier if the person you are caring for formally appoints a person to make decisions on their behalf, in case they become incapable of making decisions for themselves. This person can become the **Power of Attorney (POA)**.
- A POA is a legal document that allows someone to appoint a trusted person to act on their behalf should they become incapable of making decisions.
- These roles can be **performed by the same person or divided among caregivers**. Here are instructions and forms for assigning a POA <http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/poa.pdf>
- If the person you are caring for becomes incapable of making decisions, the law provides that you will always automatically have someone who will make decision on care called a **Substitute**
- **Decision Maker (SDM) for health care**. See details here: <https://www.speakupontario.ca/resource/the-substitute-decision-maker-hierarchy/>

## TYPES OF DECISIONS

### Property - related to finances and financial decisions

- If there is no POA, the office of the Public Guardian & Trustee will by default be in charge of property and an application needs to be made in order to legally manage/access financial assets on behalf of the person you are caring for. This is called Guardian of Property.  
[http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/incapacity/guardian\\_process.php#replacing](http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/incapacity/guardian_process.php#replacing)

### Personal Care - relates to the wished of the person being cared for related to health care decision making and overall well-being/quality of life

- The health care team will need to determine if there is a POA, and if not, who in the family is able and willing to make decisions that align with what the person be care for would want. This can create conflict and delay treatment when families/friends don't agree.
- If no one can be identified by the medical team, the office of the Public Guardian & Trustee will be assigned.  
<http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/ISBN-0-7794-3015-8.pdf>

## Resources - Click on the links & logos below

- Guide for Having Advanced Care Planning Discussions with family <http://makingmywishesknown.ca>
- Ont. Guide for Creating POA <http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/poa.pdf>

# Planning and Preparing: Documents

*Being prepared can help you to cope if the person you are caring for becomes incapable of making decisions on their own. A little bit of preparation ahead of time can make things much easier in the future.*

## WILLS

- A will is a document that states **what will happen to someone's assets** (personal property) when they die.
- **Without a will**, distribution of property is done based on provincial law and not on the person's wishes and can take a longer time.
- It is recommended that people **consult with a lawyer** when making a will in order to be sure it is done correctly. This resource can help you start walking you through this topic. A will is a place to define guardianship for any children under 18 years. [www.gblegalclinic.com/Will%20kit.pdf](http://www.gblegalclinic.com/Will%20kit.pdf)

## UNDERSTANDING DNR

- **DNR** or **Do not resuscitate** is a medical term that refers to an order written by a doctor that is **set up before a health care emergency occurs**, like a heart attack or stroke.
- A DNR allows someone to instruct health care providers **not to perform Cardio Pulmonary Resuscitation (CPR) and other life saving interventions if the patient stops breathing or their heart stops beating**.
- Have a discussion with the person you are caring for about their desire for medical interventions and CPR ahead of time can make it easy to answer professionals when they ask about DNR.
- **It is imperative to follow the wishes of the person you are caring for.**
- When the person you are caring for is in the community, you need to have a DNR Confirmation Form from the doctor to show to paramedics or health care professionals in order for them to not resuscitate them.
- Be aware that life saving measures can be physically hard on people, especially if they are frail.

## DOCUMENTS TO GATHER

- Power of Attorney (Property and Personal Care)
- Financial Information (Bank and account numbers)
- Insurance (e.g. life, medical, etc.)
- Will
- Funeral plan
- Other (e.g. medication, organ donation, DNR Confirmation, etc.)

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- Guide for writing a will [www.gblegalclinic.com/Will%20kit.pdf](http://www.gblegalclinic.com/Will%20kit.pdf)