



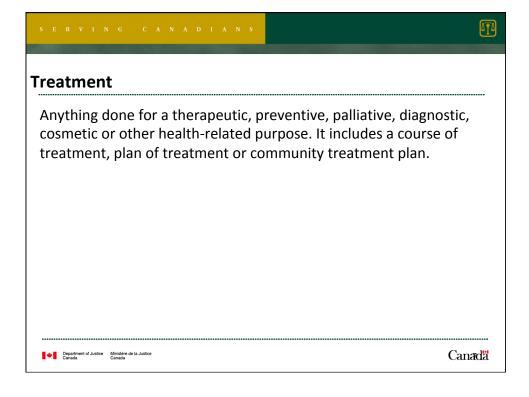


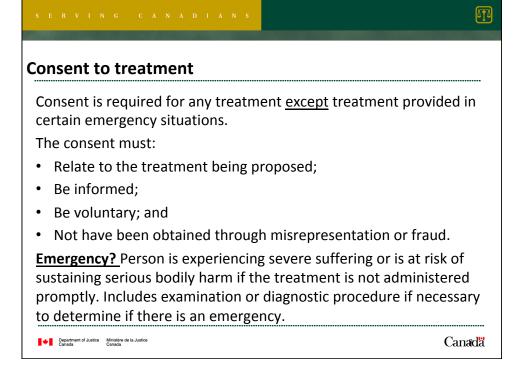
Applicable legislation: *Health Care Consent Act* (HCCA)

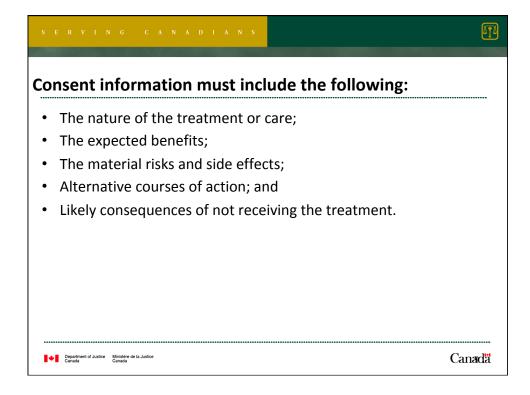
- 1. Promotes individual authority and autonomy;
- 2. Facilitates communication between health care practitioners and their clients; and
- 3. Ensures a significant role for family members when the client is incapable of consenting.
- **Focus of the HCCA** is on the <u>capacity to make decisions</u> in relation to specific treatment, admission and personal assistance services.
- HCCA deals with consent to the following separately:
 - a) **Treatment** (consent must relate to treatment proposed, informed, voluntary and not obtained through fraud),
 - b) To a care facility (consent required except in crisis situation)
 - c) To **personal assistance services** (does not specify consent in the Act but CNO requires that it be obtained either from client or substitute decision-maker)....
 - Department of Justice Ministère de la Justice Canada Ca

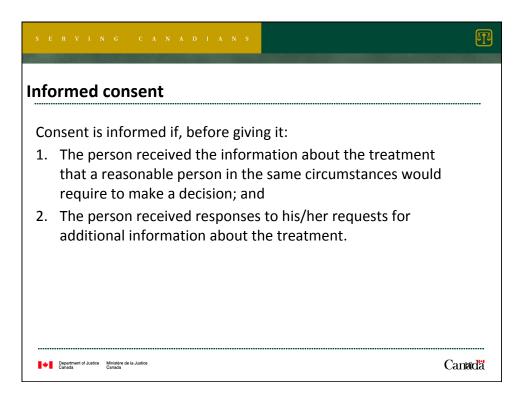
Applicable legislation: Substitute Decisions Act, 1992 (SDA)
 The SDA deals with decision-making about personal care or property on behalf of incapable persons.
 SDA focuses on persons needing decision made on their behalf on a continuing basis.
 Involves the formal appointment of a decision-maker:

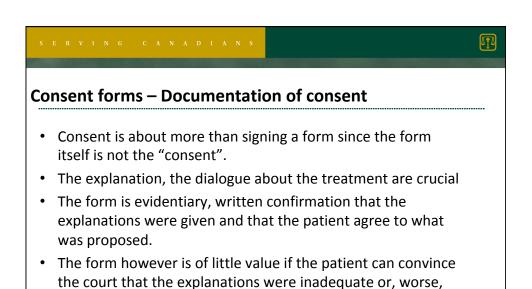
 Power of attorney (for personal care or property or both) through either the Office of the Public Guardian and Trustee; or
 A court appointment



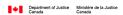








 Documentation is key (i.e. charting questions or concerns to validate the consent process)



were not given at all.

Canada

