

ADVANCE CARE PLANNING TERMINOLOGY BY PROVINCE



Canadian Province or Territory	Legal term for the person appointed to be the decision maker of an incapable person	Definition: (Roles, rights and responsibilities of substitute decision makers varies across provinces and territories as well)
Alberta	Agent	Substitute Decision Maker
British Columbia	Representative	Substitute Decision Maker
Labrador	Substitute Decision Maker	The legal term used to designate a Proxy in an Advance Health Directive
Manitoba	Proxy	Substitute Decision Maker
Newfoundland	Substitute Decision Maker	Substitute Decision Maker
New Brunswick	Attorney for Personal Care	Also known as Donee/Donor. Legislated by the Infirm Persons Act
Nova Scotia	Guardian	Substitute Decision Maker
Northwest Territories	Agent	Substitute Decision Maker
Ontario	Attorney for Personal Care	An Attorney for Personal Care is a person who has been appointed Substitute Decision Maker by an individual. You must be 18 years of age and mentally capable to appoint an Attorney for Personal Care on a Power of Attorney for Personal Care Form . You may appoint more than one Attorney. Your Attorney must be at least 18 years old and mentally capable. <i>This differs slightly from the criteria for an automatic Substitute Decision Maker (SDM) as specified by the Health Care Consent Act, 1996.</i>
	Substitute Decision Maker	<p>An SDM May be a Power of Attorney for Personal Care or may be appointed using the hierarchy provided by the Health Care Consent Act, 1996. In Ontario, every person is guaranteed to have a SDM. The Substitute Decision Makers Act, 1992 provides the legislation that allows Ontarians to appoint an Attorney for Personal Care of one’s choice provided they meet the requirements.</p> <p>SDM Requirements:</p> <ul style="list-style-type: none"> - Available when decisions are needed - Willing to take on the role and responsibilities of being an SDM - At least 16 years old (unless a parent) - mentally capable of providing consent - someone other than the patient’s health care provider - Unrestricted by a separation agreement or court order from acting as SDM - Able to make decisions based on previously expressed wishes and best interest for the person they speak for
Prince Edward Island	Proxy	Substitute Decision Maker

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Canadian Province or Territory	Province Specific Terms for ACP related legal forms	Definition
Quebec	Mandatory	Substitute Decision Maker
Saskatchewan	Proxy	Substitute Decision Maker
Yukon	Proxy	Substitute Decision Maker
Alberta	<u>Personal Directive</u>	This is an instructional directive which also appoints an Agent (SDM)
British Columbia	<u>Representation Agreement</u>	This agreement allows for appointment of a Representative (SDM)
	<u>Health Care (Consent) and Care Facility (Admission) Act</u>	This act allows for advance directives to be expressed
Labrador	<u>Advance Health Care Directive Act</u>	This is an instructional directive which also appoints a Substitute Decision Maker
Manitoba	<u>The Health Care Directives Act</u>	This is an instructional directive which also appoints a Proxy (SDM)
Newfoundland	<u>Advance Health Care Directive Act</u>	This is an instructional directive which also appoints a Substitute Decision Maker
New Brunswick	<u>Power of Attorney for Personal Care (Infirm Persons Act)</u>	This act allows for the appointment of an Attorney for Personal Care/ Donee (SDM)
Nova Scotia	<u>Authorization (Personal Directives Act, 2010)</u>	The Authorization allows for the appointment of a Guardian (SDM)
Northwest Territories	<u>Personal Directives Act, 2006</u>	This is an instructional directive which also appoints an Agent (SDM)
Ontario	Power of Attorney for Personal Care (<u>Health Care Consent Act, 1996</u> ; <u>Substitute Decision Makers Act, 1992</u>)	These acts allow for the appointment of an Attorney for Personal Care (SDM)
Prince Edward Island	<u>Consent to Treatment and Health Care Directives Act</u>	This is an instructional directive which also appoints a Proxy (SDM)
Quebec	Mandate in case of incapacity/ Power of Attorney (<u>Civil Code of Quebec</u> ; <u>Code of Civil Procedure</u> ; <u>Public Curators Act</u>)	The mandate allows the Mandator to appoint a Mandatory (SDM)
Saskatchewan	Health Care Directive (<u>The Health Care Directives and Substitute Decision Makers Act</u>)	This is an instructional directive which also appoints a Proxy (SDM)
Yukon	Advance Directive (<u>Care Consent Act</u>)	This directive allows for the appointment of a Proxy (SDM)

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NOTE: the term “Living Will” is NOT USED in ANY Legislation in CANADA

Proxy Directives: allow an individual to appoint a person or persons to make health care decisions for them in the event they are unable to do so for themselves (proxy, agent, mandatory, done, guardian, SDM, power of attorney for personal care – terms and roles vary depending on jurisdiction)

Instructional Directives: state what and/or how health care decisions are to be made when a person is unable to make those decisions themselves. This type of directive may provide specific instructions, or it may set out general guidelines or preferences to be followed in the event the person is unable to provide consent. There are variations to the capabilities of instructional directives in different provinces.