

Hierarchy of treatment decision-makers

Advance Health Directive

Decisions must be made in accordance with the Advance Health Directives unless circumstances have changed or could not have been foreseen by the maker.



Enduring guardian with authority



Guardian with authority



Spouse or de facto



Adult son or daughter



Parent



Sibling



Primary unpaid caregiver



Other person with close personal relationship

Resources are available to help you make an Advance Health Directive or to appoint an enduring guardian.

For further information about Advance Health Directives or to order a free copy of the form and instructional guide contact:

WA Department of Health Advance Care Planning Information Line

9222 2300
acp@health.wa.gov.au
healthywa.wa.gov.au/AdvanceCarePlanning

For further information about Enduring Powers of Guardianship or to order a free copy of the form and instructional guide contact:

The Office of the Public Advocate

1300 858 455
opa@justice.wa.gov.au
publicadvocate.wa.gov.au



This document can be made available in alternative formats.

Produced by End-of-Life Care Program
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Department of **Health**
Department of **Justice**

Your choices to...

- make an Advance Health Directive
- appoint an enduring guardian



Advance Health Directives and Enduring Powers of Guardianship enable you to plan for future personal, lifestyle and treatment decision-making.

Joint initiative between the Department of Health and the Office of the Public Advocate

OCM-01153:4 SEP'22

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

- An Advance Health Directive is a legal document used to record your decisions about the future medical treatment you want or do not want to receive if you become very unwell or injured. You can also include your values and preferences for your health and care.
- A treatment is any medical or surgical treatment, including palliative care and life-sustaining measures, dental treatment, or other healthcare.
- You must be at least 18 years and able to make your own decisions to make an Advance Health Directive.
- You can give or withhold consent for treatments that you specify.
- Your Advance Health Directive will only be used if and when you become unable to make or communicate a treatment decision for yourself.
- Any decisions you make in your Advance Health Directive must be followed by health professionals except in very limited circumstances.

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

- An Enduring Power of Guardianship 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.
- You must be at least 18 years of age and able to make your own decisions to make an Enduring Power of Guardianship.
- Your Enduring Power of Guardianship will only be used if and when you become unable to 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 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 make an Advance Health Directive this will take priority over the decisions of your enduring guardian for the treatment stated in the document.

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 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 treatment decision-makers' on the next page.

If you do not have an Advance Health Directive, or your Advance Health Directive does not cover the treatment decision required, the health professional will seek a treatment decision from the first person on the hierarchy who:

- is 18 years or older
- has full legal capacity
- is reasonably available
- is willing 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.

Advance Health Directives and Enduring Powers of Guardianship are 2 types of documents available in Western Australia that may be completed as part of the advance care planning process. Advance care planning involves talking about your values, beliefs and preferences for future health and personal care with your loved ones and those involved in your care.