

CCBI-A Resources

REFERENCES & RESOURCES

Office of the Public Guardian and Trustee To order a copy of POAPC form go to:

www.attorneygeneral.ius.gov.on.ca.

Substitute Decisions Act

http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/92530_e.htm

- www.advancencareplanning.ca: the website of the Speak Up campaign from the Task Group that developed a National Framework for Advance Care Planning. Includes an Ontario focused workbook that includes tips for having advance care planning conversations, and information on how to make a plan.

- www.thecarenet.ca: includes news on what CARENET researchers are doing, all sorts of news and stories on ACP, and a blank and sample copy of a personal directive.

www.seniors.gov.on.ca/en/advancedcare/index.php. A Guide to Advance Care Planning", from the Ontario Seniors' Secretariat

www.aclew.ca The website for the Advocacy Centre for the Elderly, includes a number of helpful publications on advance care planning in Ontario, including frequently asked questions on this topic.

www.cleo.on.ca/sites/default/files/book_pdfs/power.pdf

The Canadian Catholic Bioethics Institute at Assumption University (CCBI-A)

As a Roman Catholic academic institute that studies the moral questions that arise in clinical practice and biomedical research, CCBI-A brings to bear the teaching of the Catholic Church and seeks to develop the implications of that teaching for emerging fields of practice. The purpose of the institute is to provide resources, education and services to both professionals and the community to help navigate the often complex ethical issues we face in healthcare.

The presentation was provided by CCBI-A. For more information or to request a presentation about this or other topics in healthcare ethics please contact

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What Healthcare Consumers Need to Know



UNDERSTANDING POWER OF ATTORNEY FOR PERSONAL CARE



Federated with the University of Windsor

FAQ about Power of Attorney for Personal Care (POAPC)

This guide is produced for educational purposes about current law regarding Power of Attorney for Personal Care (POAPC). The information is produced is not intended as legal advice. Should you require legal advice about your specific circumstances please consult your lawyer.

WHAT IS A POWER OF ATTORNEY ?

It is a legal document that gives someone else the power to act on your behalf. This person is called your "attorney". In Canada the word "attorney" usually does not mean lawyer, as it does in the USA. That person will make personal care decision for you if you become mentally incapable of doing so yourself.

WHAT ARE PERSONALCARE DECISIONS?

Personal care decisions are decisions about your health care and medical treatment, diet/nutrition, housing, clothing, hygiene, and safety.

WHY IS IT IMPORTANT TO APPOINT ONE?

Completing a POAPC allows individuals to appoint a person that they trust to make personal decisions for them should they become mentally incapable. Ideally the Attorney for Personal Care should be knowledgeable about the person's wishes and values.

WHO CAN I APPOINT?

The person you appoint must be 16 years of age, able to understand the nature of the decision and willing to accept the responsibility.

IS IT POSSIBLE TO HAVE MORE THAN ONE ATTORNEY?

Yes. One person can be named as Attorney and a second person as a substitute. You can also specify that each POAPC has responsibilities only for decisions in certain areas (e.g., shelter, health care). It is also possible to give equal decision-making powers to more than one Attorney for personal care. The law will require them to make each decision together (jointly) unless you specify that they can act separately (Severally).

WHAT HAPPENS IF THE ATTORNEYS DISAGREE?

In the POAPC document, a mechanism for resolving conflicts can be described. If no mechanism for resolving conflicts is provided, one or more of the attorneys may apply to the Consent and Capacity Board to be named the substitute decision-maker. Alternatively, if the conflict is not resolvable, the Public Guardian and Trustee will make the decision.

DOES EVERYONE HAVE TO APPOINT AN ATTORNEY FOR PERSONAL CARE?

No. Doing so is a voluntary act and individuals should not be coerced into completing one. If no one has been appointed a relative will be asked to make decisions. In accordance with the Ontario, authority to make decisions is granted as follows: spouse or partner, parents or children, siblings, other relative.

WHEN DOES IT TAKE EFFECT?

The Power of Attorney has authority to make personal care decisions for you ***only if you become mentally incapable*** of making them for yourself.

WHO CAN BE AN ATTORNEY?

A person must be 16 years of age, capable of making personal care decisions, and willing to take on this responsibility. Persons who are paid to provide services to you such as a healthcare professional, landlord, or homemaker (cannot act as your POAPC, (unless they are your spouse, partner, or relative).

DO YOU REQUIRE A LAWYER TO COMPLETE A POWER OF ATTORNEY FOR PERSONAL CARE?

No, although advisable as the document must meet certain legal standards to be valid (e.g., signed, dated, and witnessed by two persons).

The document cannot be witnessed by: your spouse, partner, or child; the person named as attorney or his/her spouse or partner; anyone under the age of 18; or the individual's Guardian of Property or Guardian of Person.

WHEN CAN I GET A FORM FOR POWER OF ATTORNEY FOR PERSONAL CARE?

Your lawyer can prepare a form with you. Or you can use the form published by the [Office of the Public Guardian and Trustee](#).

To order a copy, call **416-314-2800**, or toll-free **1-800-366-0335**.

You can also download it by going to this website: www.attorneygeneral.jus.gov.on.ca.

CCBI-A PRESENTERS & STAFF

Theologians and ethicists present Church teaching and engage people in discussion on moral and ethical life issues:

- ◆ **Rev. Leo Walsh, CSB, STL, STD :**
Executive Director of the Canadian Bioethics Institute. VP Academics, Assumption University. Professor of Moral and Sacramental Theology
- ◆ **Maria Giannotti: BA, BEd, MA, MScB :**
Bioethics Consultant, specializing in clinical ethics and Catholic Healthcare Leadership and Education
- ◆ **Rev. Michael Prieur BA, B.Th. STL, STD**
Professor of Moral & Sacramental Theology
- ◆ **Richard Corneil, PhDc :** Moral Theology, Principal, Chief Administrator Assumption

HONORARIUM PARISHES:

An honorarium of 10\$ per person per session is suggested; parishes often choose to assume the cost of the program.

OTHER GROUPS: Please contact CCBI-A to discuss the honorarium.

DISTANCE ARRANGEMENTS: FPIP can be held in locations outside Windsor Ontario. We welcome the opportunity to travel to bring this program to you.

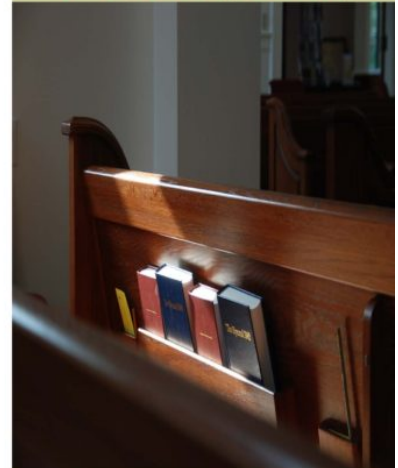
CONTACT CCBI-A for more information

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THE CANADIAN CATHOLIC BIOETHICS INSTITUTE AT ASSUMPTION UNIVERSITY

presents...

FOR PEOPLE



IN THE PEWS

A series designed to help Catholics understand emerging issues in health care ethics and the Church's response to them.

CANADIAN CATHOLIC BIOETHICS INSTITUTE @ ASSUMPTION UNIVERSITY
FOR PEOPLE IN THE PEWS LECTURE SERIES

One of the goals of CCBI-A is to assist Catholic lay people increase their awareness and understanding of Church teachings regarding bioethical issues. "For People in the Pews" (FPIP) is an 'everyday bioethics' lecture series designed to do just that.

As science and medicine become more advanced, we find ourselves dealing with moral questions that may challenge Catholic teaching on the dignity of human life or social justice. When unexpectedly faced with these moral dilemmas, we may find ourselves at a loss and needing guidance. Understanding bioethical principle and Catholic teaching in such matters has become increasingly important.

FPIP offers everyone an opportunity to grow in their understanding of bioethical principles and better understand the impact of new developments in medicine and technology on moral and ethical life issues.



PROGRAM OUTLINE: The program consists of a 4 part lecture series. The normal schedule is two hours one evening per week for four weeks. Other arrangements to suit parish or group needs are possible.

PART 1: CATHOLIC PERSPECTIVE ON ETHICS

- Foundations of Catholic Ethics
- Scripture and Tradition & Natural Law
- Foundations of Catholic Bioethics
- Conscience

PART 2: REPRODUCTIVE ISSUES

- Personhood
- Reproductive Technologies
- Research and cloning.

PART 3: END-OF-LIFE ISSUES

- Withdrawal of treatment
- Prolonging life Pain and
- Suffering & Palliative Sedation
- Advance Care Planning & Power of Attorney for Personal Care
- Understanding Brain Death

PART 4: Medical Aid in Dying/Euthanasia

- Palliative care
- Spiritual needs of the dying.

FPIP is an excellent educational series for parishes and fits well into Advent or Lenten schedule. A parish may host or co-host FPIP with neighbouring parishes.

The program is also suitable for many other organizations and groups such as hospice, long-term care, women's groups, Senior Centers, or retirement groups. As well as workshops and seminars can be customized for healthcare professionals, clergy, chaplains, or educators.

The program can be scheduled as a one day event or over consecutive days or evenings. Our goal is to meet the needs of the community.

Sessions aim to inform participants about complex bioethical issues, and encourage discussion and dialogue about Catholic teaching on topics such as reproductive technology, palliative care, advance care planning, medical aid in dying, euthanasia as well as the spiritual needs of the sick and

