



Yukon

Care Consent Act, 2003


 **What legal documents can I use for Advance Care Planning and what can I include in them?**

You can use a **Directive** to:


- Appoint one or more **Proxies** to make decisions about your health care, location of care, and personal assistance.
- Give guidance to your Proxies for making decisions.

 **What if I have completed documents outside of Yukon before moving here?**

Your document is valid if it meets the requirements described below for a Directive in Yukon.

 **When can I prepare a Directive?**


- If you are 16 years of age or older.
- If you have the capacity to make decisions.

 **How do I prepare a Directive?**


Your wishes may be expressed in writing, orally or in any other manner.

To appoint a Proxy:

- You must write, date and sign it. With your permission, another person may sign on your behalf.
- Your Proxies must sign it.
- Your signature needs two witnesses. The witnesses must be 19 years or older.
- Your Proxies and their spouses are not permitted to sign on your behalf or sign as a witness.


 **When will my Directive be used?**

It will take effect when you lose the capacity to make decisions about your health care.

 **Who will make decisions about my health care if I cannot?**

If you have named a Proxy in your Directive, they may make decisions about your health care.

If you have not named a Proxy or completed a Directive, someone will be chosen as your **Substitute Decision Maker** to make decisions about your health care.

 **Who can I choose as my Proxy?**

Your Proxy must:

- be 19 years or older (unless they are your spouse).
- be capable, willing and available to speak on your behalf.
- have been in contact with you in the previous 12 months.
- not be in conflict with you.

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What decisions can my Proxy make?

Your Proxy can make decisions about your health care, location of care, and personal assistance.

Their decision must be guided by:

- your wishes, beliefs and values
- your best interests if your wishes, beliefs and values are not known.

If you have named more than one Proxy, any one of them can make decisions for you unless your Directive says otherwise.



What decisions can my Proxy not make?

- Anything prohibited by law,
- Medical assistance in dying,
- Delegation of their role to another person,
- Sterilization with no therapeutic benefit,
- Financial decisions.



Who might be my Substitute Decision Maker?

Your Substitute Decision Maker is identified by your health care provider from a default list of close relatives. The first person who qualifies on the list will be chosen:

1. Spouse (married, cohabited for at least one year unless either under 19)
2. Child
3. Parent
4. Grandparent
5. Brother or sister
6. Any other relative
7. A close friend (must give care provider a signed statement)
8. Person's health care provider (and 2 other health care providers for major health care)

To qualify they must meet the same criteria for choosing a Proxy.

Where do I go for more information about Advance Care Planning?

Government of Yukon – Adult Protection and Decision-Making: hss.gov.yk.ca/adultdecisionmaking.php

Yukon Capability and Consent Board: www.yukoncapabilityandconsentboard.ca/

Office of the Public Guardian and Trustee: www.publicguardianandtrustee.gov.yk.ca/

