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## FACTSHEET

April 27, 2006

Ministry of Health

### ADVANCE DIRECTIVES IN BRITISH COLUMBIA

- Instruction-type advance directives give British Columbians another way to make their personal wishes for end-of-life care known.
- A Ministry of Health consultation with health care providers, the BC Hospice Palliative Care Association and health authorities found these groups supported advance directives. Most Canadian provinces and territories have similar legislation.
- By providing written instructions in advance about care and treatments they do not wish to receive, British Columbians can ensure they are prepared if a day comes when they are unable, because of injury or illness, to communicate directly with a health care provider.
- While various advance directive-type instructions currently exist, this new legislation provides safeguards such as a prescribed form and guidance on outdated directives. The legislation requires that advance directives acknowledge the person is aware they are refusing care even if advances in medical knowledge or technologies occur.
- Advance directives can be completed by any capable adult, without the services of a lawyer or notary public. There is no fee involved and they are entirely voluntary. No one can be required to provide an advance directive before receiving medical care.
- The directives can be individualized to suit each person's health care needs. The form will be developed in consultation with care providers and advocates.
- Representation agreements will continue to be available for adults who prefer to have a substitute decision maker if they are unable to make their own decisions and do not wish to have the health care provider rely on the first available substitute decision maker (from a list set out in provincial legislation).
- People who do not have an advance directive will be provided with whatever health care is appropriate in an emergency. In non-emergencies, health care providers will ask a substitute decision maker (generally a family member) for consent to provide health care.