

Your Role as Specific Decision Maker

You have been chosen because a health care provider has assessed your family member as being incapable of making a health care or placement decision.

The *Adult Guardianship and Trusteeship Act* (AGTA) allows a relative to make “specific decisions” in these situations. If you have been selected to make the decision, you are called a specific decision maker (SDM) for your relative.

Specific decision making is limited to either health care or temporary placement/discharge decisions.

Health care as defined in the AGTA is broad and can include a variety of procedures, examinations, and treatments.

Temporary placement refers to a placement that does not exceed six months. Examples of placement decisions include the decision to move your relative into a long term care (LTC) facility, or, alternately, the decision to discharge your relative from a LTC facility.

When making a specific decision, you must consider whether:

- your family member’s condition or quality of life will be improved by the proposed health care or move;
- the expected benefit of the proposed health care or move is greater than the risk of harm; and
- any alternative health care or living situations would be as effective and as beneficial.

What decisions can I make as a specific decision maker?

Specific decision making is limited to healthcare and placement decisions. In general terms, as a specific decision maker, you do not have the authority to make decisions regarding end of life care, sterilization, mental health treatment, or research / experimental activities that have not been approved by an ethics board.

The health care provider who selected you will have further information about the definition of health care and/or the types of decisions excluded under specific decision making if needed.

What kinds of forms or paperwork do I have to fill out to be a specific decision maker?

The health care provider who selected you as SDM will ask you to complete a portion of Form 6 which confirms your ability to act as a SDM (you are 18 years of age or older; have been in contact with your family member in the preceding 12 months, have knowledge of your relative’s wishes, values and beliefs; and do not have a dispute with your family member that might affect your ability to fulfill your duties as SDM).

Is there anyone else I should notify that I'm a specific decision maker?

You need to make a reasonable effort to notify the nearest family member of any decision you make as a specific decision maker. If there is no other family, you are required to notify the Public Guardian of your decision (see back page for contact information).

What health information can I access to make the best decision for my family member?

Under the AGTA, you are entitled to access, collect or obtain personal information relevant to the specific decision that needs to be made. This information should only be used for the purpose of carrying out your duties as specific decision maker. You need to ensure that you keep the information secure and confidential—to protect the privacy of your family member.

Could I be liable for acting as a specific decision maker?

The legislation protects Specific Decision Makers acting in good faith. If you have any questions about your role as a SDM, please do not hesitate to contact the Office of the Public Guardian or discuss your questions with the health care provider who selected you.



Guiding Principles

The *Adult Guardianship and Trusteeship Act* is built on four guiding principles:

- the adult is presumed to have capacity and able to make decisions until the contrary is determined;
- the ability to communicate verbally is not a determination of capacity, the adult is entitled to communicate by any means that enables them to be understood;
- focus on the autonomy of the adult with a less intrusive and less restrictive approach; and
- decision making that focuses on the best interests of the adult and how the adult would have made the decision if capable.

For more information

Call the Office of the Public Guardian toll-free information line:

1-877-427-4525

Monday to Friday

8:15 a.m. – 4:30 p.m.

<http://humanservices.alberta.ca/opg>

Offices

The Office of the Public Guardian has offices across the province. They are open Monday to Friday from 8:15 a.m. to 4:30 p.m. To be connected toll-free, call 310-0000 first.

Northwest Region

Grande Prairie: 780-833-4319

Edmonton Region

Edmonton: 780-427-0017

Central Region

Red Deer: 403-340-5165

Northeast Region

St. Paul: 780-645-6278

Calgary Region

Calgary: 403-297-3364

South Region

Lethbridge: 403-381-5648

Medicine Hat: 403-529-3744