



Ressources:

To get the form:

Go to www.ramq.gouv.qc.ca/en then “Health Insurance”, then “Issue my directives in case of incapacity”

You can also get the form calling:

Quebec: 418-646-4636

Montréal: 514-864-3411

Elsewhere: 1-800-561-9749 (no charge)

Make the right move
educaloi.qc.ca

Éducaloi.qc.ca has hundreds of articles on legal topics touching the daily lives of Quebecers.

To learn more, go to the Health section at www.educaloi.qc.ca:

- medical decisions,
- protection mandates,
- living wills,
- and much more...

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Advance Medical Directives

**EXPRESSING WISHES
AHEAD OF TIME**



Setting the Scene

Advance medical directives are instructions about your wishes for certain kinds of medical care.

They are used if you can't make decisions yourself because of illness or accident.

This pamphlet is up to date to
June 2025.

It has general information only. If you need legal advice on a specific situation, consult a lawyer or notary.

What are advance medical directives?

These directives let you put in writing your wishes about certain what kinds of medical care want to receive or not in certain situations.

The directives will only be used if you can't make your own decisions about medical care.

Important! In directives, you can't demand care that is not appropriate. Directives can only say that you agree to certain care (or refuse it). Doctors still have to make a decision about what care is medically appropriate.

When are they used?

Each time they propose a treatment, doctors must check that you understand some basic things: your condition, the treatment proposed, risk and benefits of the treatment, and what could happen if you refuse treatment.

Advance directives will only be used if a doctor decides that you don't understand these things and can't make your own decisions.

If you can't make your own decisions, medical staff must check if you have directives and what they say.

Important! You must make your directives while you have all your mental abilities.

Situations & treatments covered

Directives can only apply in three situations for five treatments.

1. Situations:

- A serious condition with no chance of recovery at the end of life
- Being permanently unconscious with no chance of recovery (like a coma)
- Dementia with no chance of recovery (like advanced Alzheimer's)

2. Traitements

- CPR (restarting heart and breathing)
- Help to breathe with a machine
- Dialysis (cleaning your blood if your kidneys can't)
- Forced or artificial feeding ("forced" means against your will; "artificial" means you can't do it on your own)
- Forced or artificial hydration

You can't ask for medical aid in dying in your advance medical directives. If you meet the conditions to make an advance request for medical aid in dying, you must do so in a separate document.

How?

There are two ways to make directives:

1. Fill out the free "Advance Medical Directives in Case of Incapacity to Consent to Care" form available from the Régie de l'assurance maladie (RAMQ or health insurance board).

- The form explains how to fill it out. Sign it in front of two witnesses.

The next step is to send your advance medical directives to the RAMQ to be recorded in the Advance Medical Directives Register for advance medical directives.

2. A notary can make directives in a notarial deed.

A notarial deed is harder to challenge in court. The notary will send your directives to the RAMQ so that they are recorded in the registry for advance medical directives. However, notary services come with associated fees.

Either way you choose, it is a good idea to give a copy to a health care professional to file them in your medical record too.

Always followed?

Directives in the register for advance medical directives or the patient's medical record must be followed.

There are some exceptions to this rule :

- In an emergency, the medical team might not have time to check if you have directives.
- In very special cases, a court can cancel directives (e.g., a reason to think the person who made directives did not understand them).

Changing directives

To change: Fill out a new form. Send it to the RAMQ to put in the register.¹⁶ You can also ask your doctor to put a copy in your medical record.

To cancel: Fill out and send in the "Revocation of Advance Medical Directives" form available from the RAMQ.

Other ways to express health care wishes

There are other ways to express your wishes regarding health care covered by advance medical directives:

- a protection mandate,
- a living will,
- an organ and tissue donation consent form,
- informal methods (e.g., a note you write, a video, orally telling people).

Advance medical directives take priority over a protection mandate though, even if the protection mandate is more recent.

To learn more about these options, see Éducaloi's website.

No directives?

What if you have not made directives or used another way to express your wishes? Someone else will be asked to make medical decisions for you.

