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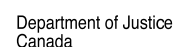
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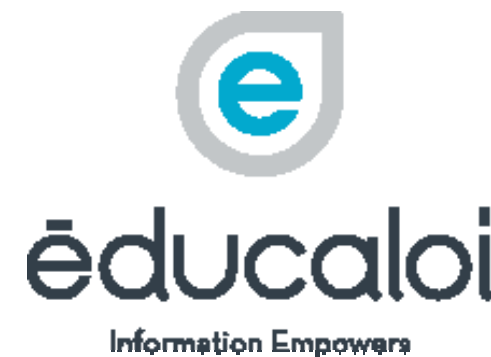


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Advance Medical Directives

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 November 2020.

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

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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What?

Directives let you put in writing your wishes about certain kinds of medical care in certain situations.

You can say whether you want or don't want this care.

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

When?

Each time they propose a treatment, doctors must check that you understand some basic things: your condition, the treatment proposed, risks 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:

- Serious, incurable condition and at the end of life;
- Permanently unconscious with no chance of recovery (e.g., coma); or
- Dementia with no chance of recovery (e.g., advanced Alzheimer's)

2. Treatments:

- CPR (restarting heart and breathing)
- Help to breathe with a machine
- Dialysis (a machine to clean 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.

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

To get the form:
www.ramq.gouv.qc.ca/en then "Health Insurance", then "Issue my directives in case of incapacity"

Quebec City: 418-646-4636
Montreal: 514-864-3411
Elsewhere: 1-800-561-9749 (no charge)

2. A notary can make directives in a notarial deed. There will be fees involved.

Either way you choose, the next step is to send your advance medical directives to the RAMQ to be recorded in the Advance Medical Directives Register. 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 Advance Medical Directives Register or the patient's 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).

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.

Changing Directives

To change: Fill out a new form. Send it to the RAMQ to put in the register. 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 Wishes

There are other ways to express your wishes:

- a protection mandate
- a living will
- organ donation
- 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.