

# Decisions about your future health care

## What you need to know

### Who makes choices about your future health care?

We all have the legal right to choose the medical treatment we want or don't want to receive.

So if you ever need treatment, the doctor or health care worker should always talk to you about any options for your treatment and what you want.

But if you became too ill to make the health decisions needed, or were unconscious or unable to communicate in some way, you wouldn't be able to make your own decisions and express them to the doctor or health care team.

However there are three ways that you can prepare for this scenario and ensure that the person treating you will understand what treatment you would want or not want:

1. complete an Advance Health Directive
2. nominate an attorney(s) to make decisions on your behalf
3. ensure that those close to you know what you would want so they could speak on your behalf as your Statutory Health Attorney.

### 1. The Advance Health Directive

An Advance Health Directive is a legal form you complete to give instructions for your future health care. It allows you to set out what medical treatment or health care you would like to receive or not receive in the event that you cannot make decisions for yourself.

You can use your directive to express your wishes in a general way, such as stating that you would want to receive all available treatment. But it is helpful to be quite specific about different types of treatments.

For instance, you might feel strongly about whether or not you want to receive life-sustaining measures to prolong your life, such as:

- cardio-pulmonary resuscitation, to keep your heart beating
- assisted ventilation, to keep you breathing if your lungs stop working
- artificial nutrition and hydration.

You can write down any other particular health care preferences if you wish too.

You can also include relevant information about yourself that health professionals should know, such as:

- special health conditions
- allergies to medications
- religious, spiritual or cultural beliefs that could affect your care.

You can use your directive to outline your views about the quality of life that would be acceptable to you. For instance, you might decide to specify that you would want life-sustaining measures withheld or withdrawn in certain situations, such as if you were to have:

- a terminal illness for which there is no known cure nor chance of you recovering
- severe and irreversible brain damage so that you are unable to communicate
- an illness or injury so severe that there is no reasonable prospect that you will recover.

If you decide to complete an Advance Health Directive, your doctor will need to sign the form, and can assist with an explanation of the terms and how they might relate to your situation.

## 2. Choosing an 'attorney' to speak on your behalf

You can nominate someone to speak on your behalf in the future if you're not able – this person is called an attorney. You can nominate an attorney either in the Advance Health Directive form, or by completing an Enduring Power of Attorney form.

Nominating an attorney using the Advance Health Directive form gives that person the power to make health care decisions only on your behalf if you are not able. Alternatively, completing an Enduring Power of Attorney form allows you to nominate an attorney to make decisions not only for your health care, but also other personal matters and financial matters.

Of course you can still complete an Advance Health Directive if you choose to appoint an attorney using the Enduring Power of Attorney form. If you have an Advance Health Directive, your doctor will use the information in it as an initial guide to plan health care, including treatment. But if the Advance Health Directive does not cover particular medical circumstances you are facing at the time, then the doctor will ask your attorney to make the decision.

## 3. Statutory Health Attorney (SHA)

If you haven't completed an Enduring Power of Attorney or Advance Health Directive, or if the health care team aren't aware of or can't access this information, a person close to you will assume the role of what's called the Statutory Health Attorney.

This doesn't require any prior action on your part. A Statutory Health Attorney's status is based on their close and ongoing relationship with you. By law, they will be the first available, culturally appropriate person (aged 18 or over) from the following:

- a spouse or de facto partner (as long as the relationship is close and continuing)
- a person who is responsible for the adult's primary care but is not the adult's health provider, a service provider for a residential service where the adult is a resident, or a paid carer (although they can receive a carer's pension), or

- a friend or relative in a close personal relationship with the adult. Relation can also include a person who under Aboriginal tradition or Torres Strait Islander custom is regarded as a relation.

If the health care team cannot find anyone suitable or available, the Public Guardian acts as the Statutory Health Attorney of last resort.

### Make your wishes known

With all of these options – whether you are completing an Advance Health Directive, or nominating someone to make decisions for you in the future as your attorney, or relying on those close to you to make decisions by acting as your Statutory Health Attorney, it's very important to make sure that the people close to you understand what you would want. This will ensure that your wishes are well understood and supported by them.

### My Health Record

If you wish your document to be in the Australian Government My Health Record you can upload it via the My Health Record [website](#).

### Office of Advance Care Planning

You are also able to have your advance care planning documents uploaded to your Queensland Health electronic record. Contact the office at [acp@health.qld.gov.au](mailto:acp@health.qld.gov.au) or call 1300 007 227 to find out more.

### Next steps

You can find the Advance Health Directive and Enduring Power of Attorney forms – along with explanatory guides – at [publications.qld.gov.au](http://publications.qld.gov.au). Alternatively, they can be purchased from most news agencies.

More information about what to consider when completing an Enduring Power of Attorney or an Advance Health Directive can be found at [publicguardian.qld.gov.au/planahead](http://publicguardian.qld.gov.au/planahead)

## Contact us

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