

Living in the 21st Century A Seniors' Strategy COSCO Conference

*What you need to know:
rights, responsibilities and roles
under B.C.'s Adult Guardianship Laws
Alison Leaney*

Recorded Monday, September 27, 2021

*(accurate on date of delivery – for any updates
visit www.trustee.bc.ca)*

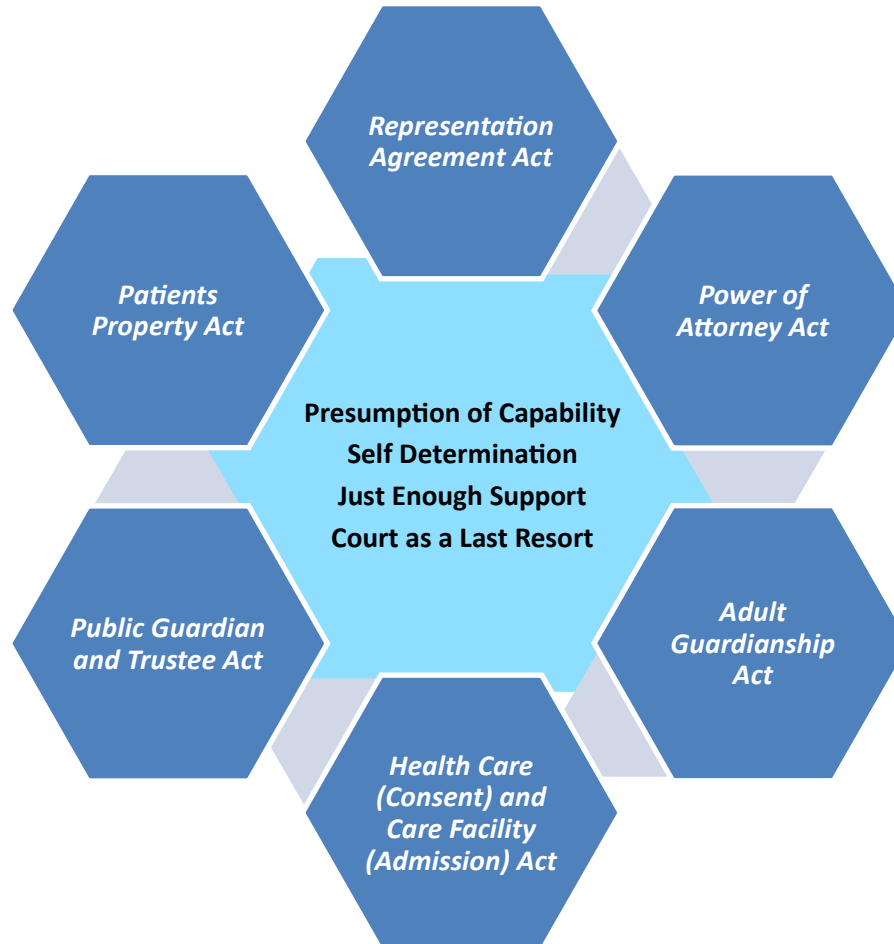
Territorial Acknowledgement



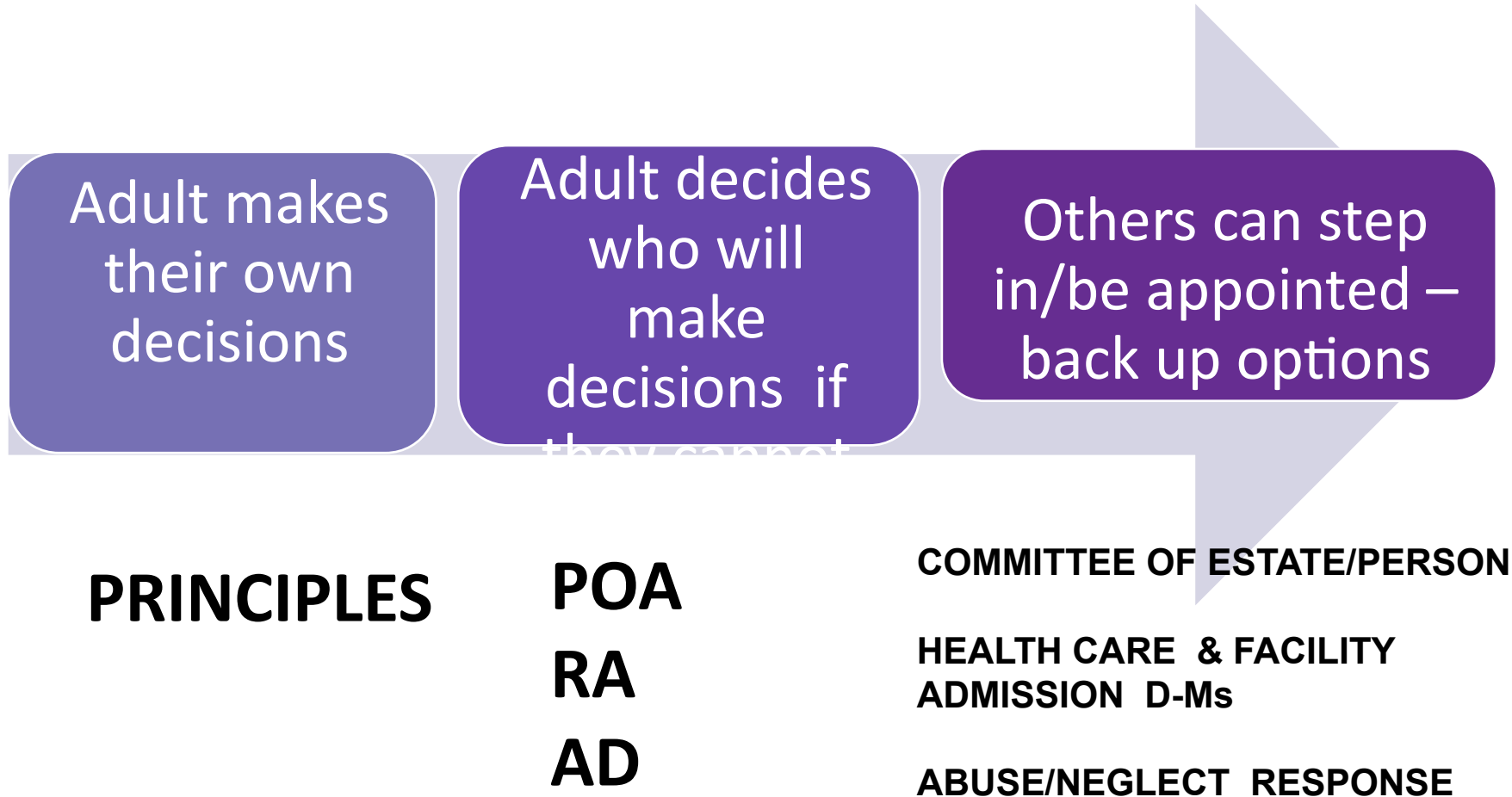
Session Objectives

1. To provide an overview of BC's integrated adult guardianship continuum for decisions about financial /legal and personal/health care decisions
2. To illustrate rights, responsibilities and roles of those involved
3. To answer your Questions!

Adult Guardianship Laws

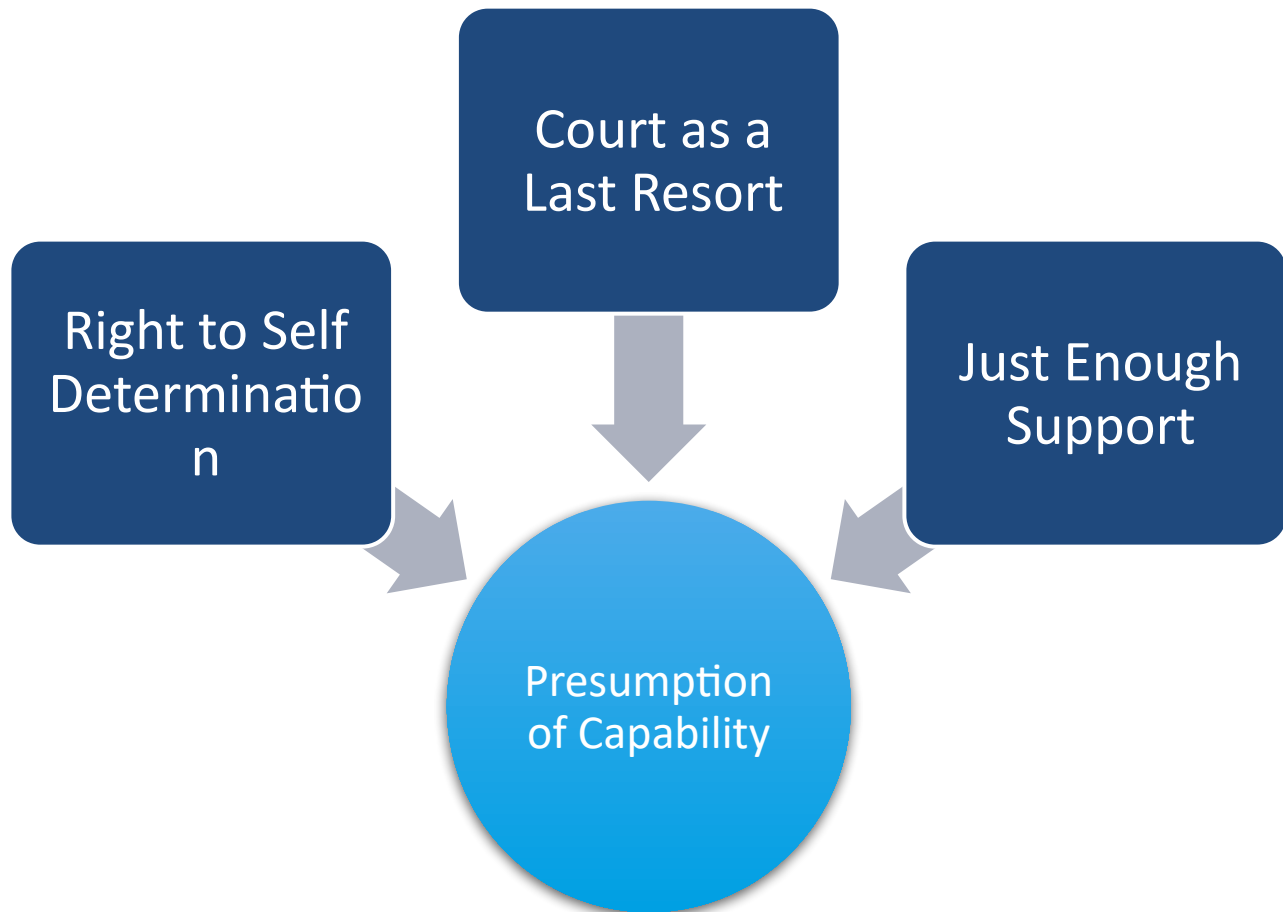


The Continuum Of Decision Making



1. Adults Make Their Own Decisions

Principles



2. Adults Decide Who Will Make Decisions if they Cannot

Planning Tools in BC are:

Financial/Legal Decisions

- Powers of Attorney – enduring powers of attorney
- Representation Agreements s. 7

Health /Personal Care Decisions

- Representation Agreements - s 9 and s 7
- Advance Directives

3. Others Can Step in /Be Appointed - Financial/Legal Decisions

Financial/Legal Decisions - Committee of Estate

- appointed by court - family member/friend
- appointed by certificate - Public Guardian and Trustee appointed

3. Others Can Step in /Be Appointed - Personal /Health Care Decision Makers

1. Committee of Person includes personal, health care and care facility admission decisions
2. Personal/Health Care Representative – includes personal, health care and care facility admission decisions
3. Temporary Substitute Decision Makers (TSDMs) for Health Care and Substitute Decision Makers (SDMs) for Care Facility Admission:
 1. Spouse
 2. Child
 3. Parent
 4. Sibling
 5. Grandparent
 6. Grandchild
 7. Anyone related by birth or adoption
 8. Close friend
 9. Person immediately related by marriage
 10. Public Guardian and Trustee or person authorized by PGT

Health Care Consent Rights

Capable adults have the right to:

- Give or refuse consent including on moral or religious grounds even if it can result in death
- Select a form of available health care
- Revoke consent
- Have their decision respected
- Be involved to the greatest degree possible in case planning and decision making

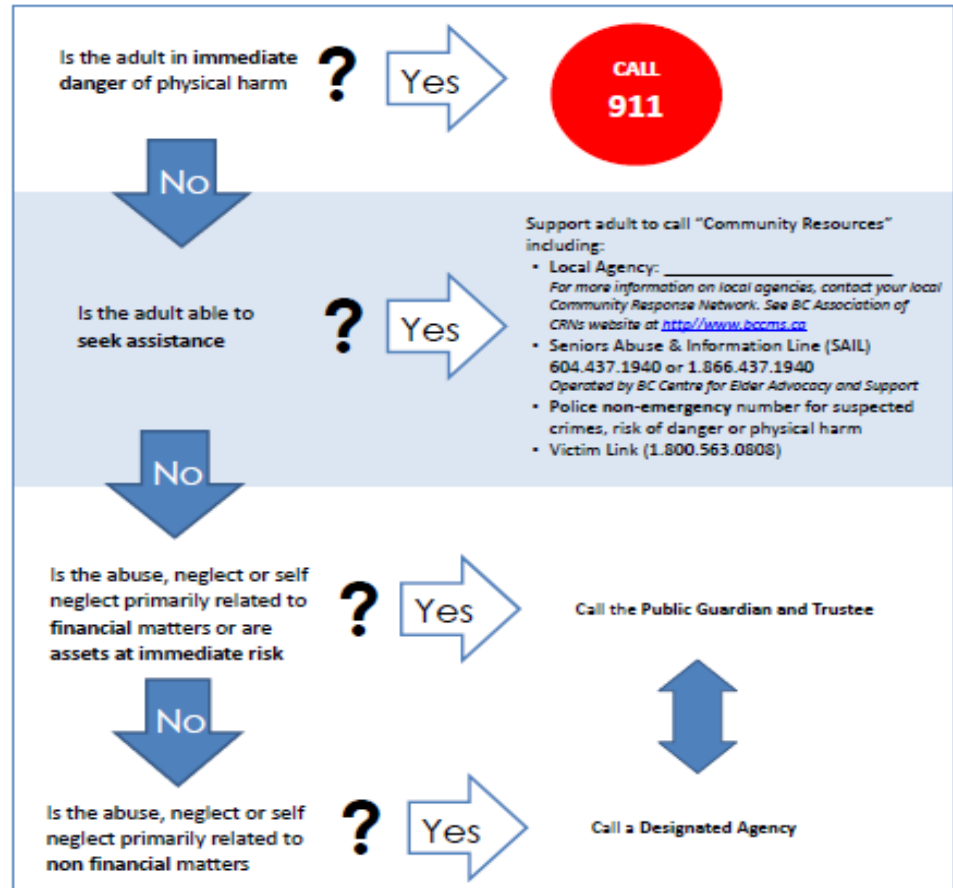
3. Others Can Step in/Be Appointed

How to Assist an Adult Who is Abused, Neglected or Self Neglecting: A Decision Tree for Effective Referrals for Adults in BC Who may be Vulnerable and/or Incapable

For an introductory video to the law in BC on responding to abuse and neglect, and for information on how to use this decision tree, visit <http://www.trustee.bc.ca/reports-and-publications/Pages/Decision-Tree.aspx> and see page 2 for information about calling the police, Designated Agencies and the Public Guardian and Trustee (PGT). For more information on Designated Agencies, the PGT, and Community Response Networks (CRNs) see the PGT publication *Protecting Adults from Abuse Neglect and Self Neglect* at <http://www.trustee.bc.ca>

PGT Decision Tree

Decision Tree videos



Resources -

- PGT Publications
 - Intro to Adult Guardianship
 - It's Your Choice
 - Options to Consider
 - Decision Tree
 - Protecting Adults from Abuse, Neglect and Self-Neglect
 - How You Can Help
 - Consent to Health Care
 - Care Facility Admission and Role of PGT

Questions and Thank You!!!!

