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Advance Medical Directives

**EXPRESSING WISHES
AHEAD OF TIME**



INFORMATION EMPOWERS

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 March 17, 2016.**

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 educaloi.qc.ca:

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

To order print documents, see the Contact Us section of our website.

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. This is explained more below.

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, the doctor 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 to certain situations and certain treatments.

1. Situations:

- Serious, incurable condition and patient is at end of life
- Severe and permanent loss of mental abilities (e.g., irreversible coma)

2. Treatments:

- CPR (re-starting heart and breathing)
- dialysis (replaces kidneys)
- help to breath with a machine
- forced or artificial feeding and hydration (patient can't or won't eat or drink on own)

If you want to give instructions beyond these situations and treatments, there are other ways to do it. See the part below Other Ways to Express Wishes.

How?

There are two ways to make directives:

1. **Fill out the free government form.** To get the form, call Quebec's health insurance board—the Régie de l'assurance maladie.

The form explains how to fill it out. If you can't fill it out yourself, someone can do this for you.

Send the completed form back to the Régie. The Régie will then put your form in a register (list).

Régie de l'assurance maladie:

Quebec City: 418-646-4636

Montreal: 514-864-3411

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

2. **You can go to a notary, who will make directives for you. There will be fees involved.**

Notaries have their own forms. The notary can take care of sending the form to the government register.

Aside from putting your form in the government register, it is a good idea to give a copy to your doctor or other health professional to put in your medical file. You can also give a copy to a trusted person.

Always Followed?

Directives in the government register or the patient's file 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., reason to think 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 Régie de l'assurance maladie to put in the register. You can also ask for a copy to be put in your medical file.

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

Other Ways to Express Wishes

Directives were new in 2015. But the other ways to express your wishes continue to exist:

- protection mandate (used to be called mandates for incapacity)
- living will
- organ donation
- levels of medical intervention forms used by hospitals and other institutions
- informal methods (e.g., a note you write, a video, orally telling people)

To learn more about these, see Éducaloi's website or www.sante.gouv.qc.ca.

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.