

# Checklist of steps for appointing your medical treatment decision maker

To be able to appoint your medical treatment decision maker, you must be an adult and have decision-making capacity to make the appointment.

## Decide who to appoint

Whoever you choose should be someone you trust to respect your values and preferences. You can appoint more than one person, but only one person acts at any particular time.

## Fill in the form

The 'Appointment of medical treatment decision maker' form is available for download on the [Advance care planning page on the Health.vic website](https://www2.health.vic.gov.au/acp) <<https://www2.health.vic.gov.au/acp>>.

Once you have accessed the form, follow the instructions and fill in the required fields.

You can appoint up to two medical treatment decision makers using this short version of the appointment form. If you wish to appoint more, use the long version of the form that allows you to appoint up to four medical treatment decision makers.

While you can appoint multiple people, you will only ever have one medical treatment decision maker acting on your behalf. This will be the first person you list on your appointment form that is available and willing to act at the time a medical treatment decision must be made.

## **Limitations or conditions**

Your appointed medical treatment decision maker has the powers set out in the *Medical*

*Treatment Planning and Decisions Act 2016*, subject to any limitations or conditions you include in the appointment form. If you are considering including limitations or conditions, it is recommended that you first read a fact sheet about this produced by the Office of the Public Advocate (OPA). For this fact sheet see the [Medical consent page of the OPA website](http://www.publicadvocate.vic.gov.au/medical-consent) <<http://www.publicadvocate.vic.gov.au/medical-consent>>.

## Sign the form in front of witnesses

You need to sign the form in front of two witnesses. One must be a registered medical practitioner (doctor) or someone authorised to witness affidavits. Arrange for an interpreter, if needed. It is recommended you use an independent and accredited interpreter.

The role of your witnesses is set out in the Act. Before acting as your witnesses, it is recommended that they read a fact sheet that explains their role. For this fact sheet see the [Medical consent page of the OPA website](http://www.publicadvocate.vic.gov.au/medical-consent) <<http://www.publicadvocate.vic.gov.au/medical-consent>>.

If someone is signing the form on your behalf, please do the following:

1. Download the 'Witnessing requirements for someone signing at the direction of the person making the appointment' document, available on the [Advance care planning page on the Health.vic website](https://www2.health.vic.gov.au/acp) <<https://www2.health.vic.gov.au/acp>>.

2. Cross out and do NOT complete the witnessing section on Page 2 of your 'Appointment of medical treatment decision maker' form.
3. Have the person signing on your behalf complete the 'Witnessing requirements for someone signing at the direction of the person making the appointment' document, in front of you and two witnesses.
4. Attach this document to your 'Appointment of medical treatment decision maker' form.

## □ Your medical treatment decision maker signs

The person (or people) you appoint need to accept the appointment and sign in front of a witness. They can do this on the day you sign, or on a later date.

For a fact sheet explaining the role of your medical treatment decision maker see the [Medical consent page on the OPA website](http://www.publicadvocate.vic.gov.au/medical-consent) <<http://www.publicadvocate.vic.gov.au/medical-consent>>.

You should make sure your medical treatment decision maker understands your values and preferences for your medical treatment, and continue to keep them informed of any changes in your values or preferences. If you have made an advance care directive, you should give your medical treatment decision maker a copy of this.

## □ Storage

The appointment form is not registered in Victoria. You should keep the original in a safe place. Make sure your medical treatment decision maker knows where to find it if they need it, or give your medical treatment decision maker a certified copy. For a list of people authorised to certify documents,

visit the [Affidavits page on the Department of Justice and Regulation website](http://www.justice.vic.gov.au/affidavit) <<http://www.justice.vic.gov.au/affidavit>>.

You should give your doctor, relevant health practitioner, or hospital (if relevant) a copy. Consider uploading a copy to [My Health Record](https://www.myhealthrecord.gov.au) <<https://www.myhealthrecord.gov.au>>.

## Note about previous appointments

If you have already made any of the following appointments, the person you appointed will act as your medical treatment decision maker should you lose capacity.

- An enduring power of attorney (medical treatment) that you made before 12 March 2018 (Also known as a medical enduring power of attorney).
- An enduring power of attorney with power to make decisions about personal matters, where you made this appointment before 12 March 2018.
- An enduring power of guardianship that you made before 1 September 2015.

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