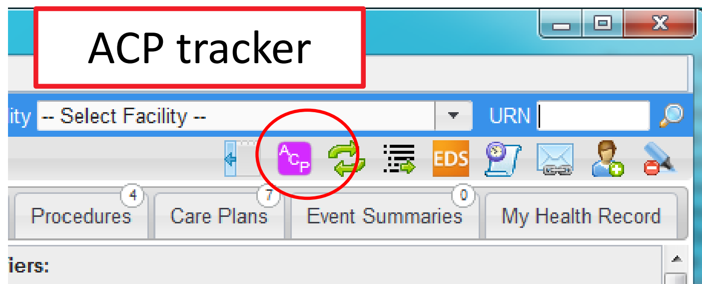
Metro North Hospital and Health Service *Putting people first*



# Advance Care Planning

Queensland Government

# The Viewer - Advance Care Planning Tracker




**The Viewer**
**The Advance Care Planning Tracker**

- The Viewer is a web-based application (downloaded through QH App Store). Read-only access available for GPs and QAS
- Approved access to The Viewer is available by contacting Information Technology Services

**Qld Health**
**The Office of Advance Care Planning**

- Audits and uploads advance care plans to the Viewer
- All Qld Health professionals are able to see your documents when required.
- Drs Leyton Miller and Terry Nash demonstrate ACP Tracker access and use:
- https://vimeo.com/289014110

You can view a document by clicking this icon

Document section

Comments section

ACP Tracker - PATIENT, STAR (DOB: 29-Sep-1977, 40 years, Male)

Advance Care Planning documents

| Date | Document type | Details |
|---|---|---|
| 15-Nov-2017 | ACP Note | |
| 02-Mar-2017 | Enduring Power of Attorney | Financial |
| 12-Jan-2017 | Statement of Choices | |
| 28-Oct-2016 | Guardian | Personal not including health care |
| 12-Feb-2016 | Advance Health Directive | Health care not including mental health |

Advance Care Planning comments

| Date | Service Provider | Profession | Outcome |
|---|---|---|---|
| 20-Jul-2017 | Hospital (outpatient) | Doctor | ACP discussion |

Rockhampton Hospital

I reviewed Mr Patient in outpatients today following his recent inpatient stay. He had some questions about filling in an Advance Health Directive he bought in with him and I have gone through his medical conditions and explained some of the terms in the document. He will complete it and get it signed by a JP next week. His wife feels that he should have completed it by now but he was wanting more information first.

Entered by Student 1 (student1) on 20-Jul-2017

| Date | Service Provider | Profession | Outcome |
|---|---|---|---|
| 01-Jul-2017 | Hospital (inpatient) | Social Worker | ACP discussion |

Rockhampton Hospital

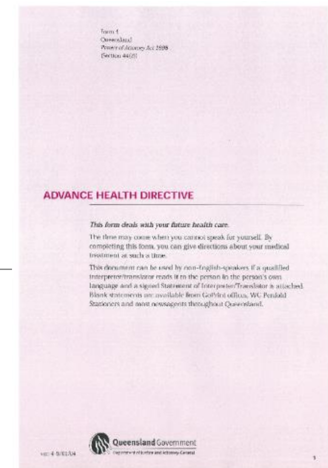
I have approached Mr Patient and his wife regarding advance care planning during his current inpatient stay and he was receptive to the idea of completing an EPOA and AHD. His wife (Im) wanted to do the documents today but he wished to discuss them with his GP and children so I have supplied a brochure and the relevant forms for him to take on discharge.

Entered by Student 1 (student1) on 01-Jul-2017

# ACP Legal Documents

ENDURING POWER OF ATTORNEY

Great state. Great opportunity.


ADVANCE HEALTH DIRECTIVE

*This form deals with your future health care.*

The time may come when you cannot speak for yourself. By completing this form, you can give directions about your medical treatment at such a time.

This document can be used by non-English-speakers if a qualified interpreter/translator reads it to the person in the person's own language and a signed Statement of Interpreter/Translator is attached. Blank statements are available from GoPrint offices, WC Penfold Stationers and most newsagents throughout Queensland.

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## ENDURING POWER OF ATTORNEY

Appoints a family member or friend over 18yrs of age – more than one can be nominated

Attorney can make important health and / or financial decisions in specified circumstances

**Only** commences when the person is unable to speak for themselves or make these decisions (unless otherwise stated in document)

## ADVANCE HEALTH DIRECTIVE

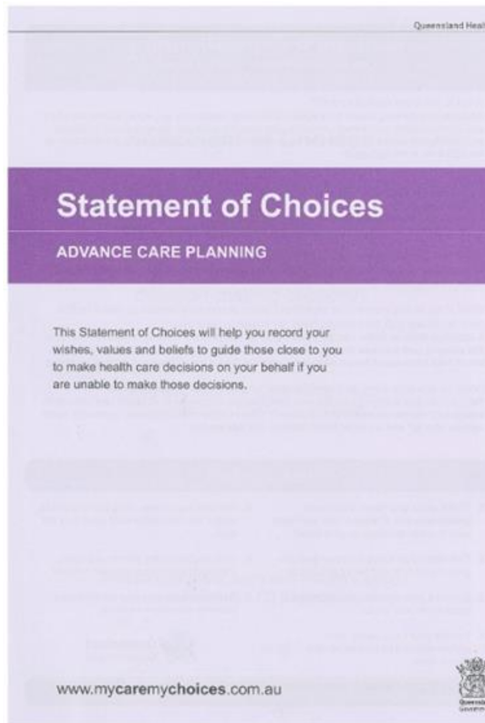
A written set of instructions for a person over 18 years of age with capacity to document their wishes for future healthcare

Allows a person to give directions about his or her health care in the future including refusing life-sustaining treatment

**Only** to be used in the event they are unable to speak for themselves

Direct and inform care provision for health professionals

# Qld Statement of Choices




A standardised values-based document

Records a person's wishes and choices for their health care

May be used by a nominated substitute decision maker and health professionals to inform medical management plans

**Only** to be used if that person was unable to make or communicate decisions for themselves

**Not** a legally binding document

# Acute Resuscitation Plan

A medical order completed by a medical officer in consultation with the patient, or, if unable to speak for themselves a nominated substitute decision maker

Can be used as part of the ACP process

Can be used to guide conversations between medical officers, patients and their families about appropriate resuscitation planning, such as whether CPR should be performed

**Not** a legal document

# Advance Health Directive – QUT Law

In Queensland, a health professional does not have to follow an Advance Health Directive if:

- a direction is inconsistent with good medical practice;
- a direction is uncertain (although they must first consult a substitute decision-maker if one is appointed under the Advance Health Directive); or
- circumstances have changed to the extent that the direction is no longer appropriate (for example, changes in medical science mean the direction should not be acted upon).

In those circumstances a health professional will not be liable for failing to comply with the Directive. The health professional will therefore need some other form of authority to determine treatment, for example, by obtaining consent from the substitute decision-maker to provide or withhold treatment.

[https://end-of-life.qut.edu.au/advance-directives/state-and-territory-laws/queensland#547671 4/06/2019 12:35 PM]

# Qld Legal Framework

**Queensland Health Advance Care Planning Clinical Guidelines**
https://www.health.qld.gov.au/clinical-practice/guidelines-procedures/patient-safety/end-of-life/guidelines

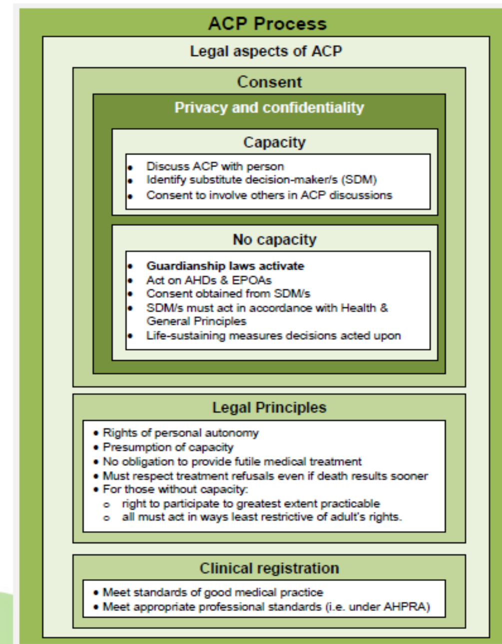
**More information:**
https://end-of-life.qut.edu.au/

https://qheps.health.qld.gov.au/metronorth/advance-care-planning

**Appendix 8 – Queensland's legal framework**

ACP is a broad patient-centred approach that occurs over time that assists people to plan for and decide about current and future care, while upholding their rights and protections under the various laws. While 'advance care planning' as a term is not specifically referred to in Queensland's legislation, there are essentially two legal domains which govern the spectrum of the ACP process:

1. While the person has capacity for decision-making – discussions and decision-making must involve them, reflecting confidentiality and privacy obligations under the relevant laws;[143] and
2. When the person loses capacity for decision-making – the guardianship laws in Queensland activate,[144] protecting the rights of the person when implementing and acting on decisions made while they had capacity. Note that privacy and confidentiality also applies.




The diagram to the left explains this further. There are three general legal requirements that apply to ACP: consent, legal principles such as patient autonomy, and clinical registration.

Irrespective of the person's capacity for decision-making, discussing and making decisions about current and future treatment, and then implementing decisions all fall within the ACP process. Privacy and confidentiality provisions will apply whether or not the person has decisional capacity.

For the most part, ACP discussions with a competent person are just like any other discussion involving health matters. Laws relating to privacy and confidentiality and the requirement to appropriately document the conversations apply. The legal issues become more complex when the person loses capacity for decision-making and directions made about life-sustaining measures acted upon.

Clinical Excellence Division
Advance Care Planning – Clinical Guidelines
- 51 -