

# Making plans when a serious illness occurs

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With a serious illness, there is often a mix of emotions, feelings of sadness and uncertainty. Changes may occur quickly and unexpectedly. Being prepared may help everyone feel supported and respected. This booklet provides information about some of the decisions that need to be made when a serious illness occurs.

## Your care plan and goals of care

To plan your care, many details will need to be taken care of and there are often difficult decisions to be made. Your health care team will need to understand your medical and personal goals of care. We want to make sure that you and your family understand the choices available. This may include making decisions about end-of-life care.

We encourage you to have your family present during these discussions so they have a clear understanding of your wishes.

### Health care providers here at the hospital who can help you.

Social Worker: \_\_\_\_\_

Doctor: \_\_\_\_\_

Chaplain: \_\_\_\_\_

Other: \_\_\_\_\_

If you have any questions or wish to share your concerns, please speak with us, your health care team.

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## What does Advanced Care Planning involve?

To help reduce the stress, we encourage family members to discuss their wishes and health preferences with each other. These conversations are also known as Advanced Care Planning (ACP) and may be written or spoken with your loved ones and family doctor.

### **Substitute Decision Maker**

Sometimes people who are ill become unable to make decisions about their health or personal care. If you cannot make these decisions, a **Substitute Decision Maker (SDM)** will be asked to make decisions on your behalf. Your SDM makes these decisions based on your previous expressed wishes, values and health care preferences.

You can choose someone (or more than 1 person) to be your SDM(s). In most cases, the SDM is a spouse or partner, or other family member.

If you wish to have a certain person be your SDM you can legally do this. This person would be identified as your Power of Attorney for Personal Care (POA).

If you become unable to make your own health care choices, and do not have a POA, a SDM can be appointed. Your health care team will appoint a SDM using this ranking list:

- Guardian court appointed individual or agency such as Public Guardian
  - Representative appointed by the Consent and Capacity Review Board (if applicable)
  - Power of Attorney for Personal Care appointed by you
  - Spouse or partner
  - Child
  - Parent
  - Brother or sister
  - Other relative
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### **Ontario Public Guardian and Trustee**

There may be no one from the list willing and available to make care decisions for you. If this is the case, then an application can be made to the Ontario Public Guardian and Trustee to assign a person. This person will work with your health care team to make decisions about your health care.

### **Power of Attorney**

A Power of Attorney is a legal, written document in which you give someone the right to act on your behalf if you are unable to speak for yourself. If you wish to have a certain person to be your SDM you need to prepare a Power of Attorney for Personal Care.

The person identified in your Power of Attorney should be someone you trust to carry out your wishes and conduct your business in a way that you want. The person identified in your Power of Attorney does not have to be a lawyer or even a family member.

In Ontario, there are 3 types of Power of Attorney:

- A Power of Attorney for Personal Care.
- A Continuing Power of Attorney for property.
- A Non-continuing Power of Attorney for property

**A Power of Attorney for Personal Care.** With this document you give someone the right to make personal care decisions for you *if* you can no longer make these decisions. These decisions include medical treatment and care, nourishment and where you live.

While in the hospital, you will be asked for a personal copy of Power of Attorney for Personal Care. A copy will be kept with your health record.

If you have not appointed a Power of Attorney for Personal Care and need someone to speak on your behalf, a person from the ranking list (page 1) will be appointed.

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**A Continuing Power of Attorney for property.** With this document you give someone else the right to make financial decisions for you. This may include the power to pay your bills or deal with investments and real estate. This person can act on your behalf even if you become unable to do so (become mentally incapable).

**A Non-continuing Power of Attorney for property.** With this document, you give someone else the right to make financial decisions for you. This gives someone the right to act on your behalf but cannot be used if you become mentally incapable. You may choose this type of Power of Attorney if you are away from home for a period of time and you give someone the power to pay your bills with your finances.

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You can learn more about Powers of Attorney by speaking with a social worker or a lawyer.

We encourage you to speak with your Substitute Decision Maker about your wishes and health preferences. This may be a difficult conversation. We are available to help with this.



**Online**

Information about advanced care planning and substitute decision maker:  
[www.advancecareplanning.ca](http://www.advancecareplanning.ca)

The Office of the Public Guardian and Trustee  
[www.attorneygeneral.jus.gov.on.ca](http://www.attorneygeneral.jus.gov.on.ca)

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**Care at the end-of-life**

With a serious health illness, it is important to discuss with your doctor, family and SDM the type of care you want to receive:

- if your condition will not improve, or
- if you have a medical emergency such as difficulty with breathing or your heart stops.

Your health care team has a responsibility to be prepared for such medical emergencies. They will ask about your wishes and discuss options of care such as:

- Allow Natural Death, or
- Cardiopulmonary Resuscitation (CPR).

If you are unable to be a part of this conversation your SDM will be asked to make decisions on your behalf. Your doctor will recommend the best treatment for you. This is based on:

- your wishes and values
- your underlying medical condition
- the likelihood of CPR being successful

Together, with the health care team, you or your SDM can decide what is the right plan of care for you.

**Allow Natural Death (AND)**

As you near the end-of-life, a decision has been made with you and your health care team to allow your body a natural death. The team will ensure that this is honoured and respected.

Everything possible will be done to ensure that you are comfortable and pain free until death occurs naturally. Treatment may include medication to control pain or manage other symptoms such as shortness of breath, infections or fear and anxiety.

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### **Cardiopulmonary Resuscitation (CPR)**

As a person gets closer to death, the body's heart and lungs weaken and begin to fail. CPR is a term used to describe medical treatments that are used when a person's heart stops and/or breathing stops.

When this happens, and you have requested CPR, a health care team member will apply force to your chest with their hands to keep your heart pumping, and will fill your lungs through a breathing bag placed over your mouth.

Other measures that may be done during CPR include: shocking the heart (cardia defibrillation), putting a breathing tube into the wind pipe and being connected to a breathing machine.

Despite receiving CPR, sometimes the heart and lungs do not respond and the patient dies despite the efforts of the health care team.

If CPR is successful, you may have other medical problems that need more medical treatments. CPR just restarts the heart and lungs. The underlying health condition continues and may be worse because the body is weakened.

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## Will and estate planning

### **Do I need a Will?**

A Will is important and helpful with estate planning. A Will outlines a person's wishes and what will happen to their belongings and property after death. Having a Will may prevent legal problems and disputes for your family.

### **What happens when there is no Will?**

Without a Will, your estate may not be divided as you may have wanted. The cost and time of handling your estate can also be increased when there is no Will.

If there is no Will, an application for a "Certificate of Appointment of Estate Trustee Without a Will" must be filed. The application is filed at the Superior Court of Justice located in the county or district where you had your permanent residence.

If the deceased had no permanent residence in Ontario, the application is filed at the Superior Court of Justice in the county or district where the deceased's property is located.

### **What is the difference between the legal document of the Power of Attorney and the Executor of a Will?**

Once a person dies, the Power of Attorney is no longer in effect nor valid. At the time of death, the Will comes into effect and it is the Executor of the Will that is responsible to manage the estate of the deceased. You will choose the Executor when you make your Will.



#### **Contact**

Information about a Will or Power of Attorney:

- Contact a lawyer or the Canadian Law Society at 1-800-268-8326
  - [www.attorneygeneral.jus.gov.on.ca/english/default.asp](http://www.attorneygeneral.jus.gov.on.ca/english/default.asp)
  - [www.hamiltonjustice.ca/looking-for-a-will.php](http://www.hamiltonjustice.ca/looking-for-a-will.php)
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## Special considerations

### **How do I ensure that my religious/cultural practices are carried out?**

If you have special cultural or religious practices that you would like carried out before or after death, discuss your wishes with a health care provider, your Substitute Decision Maker, the Executor of your Will and your family.

### **Who can donate their organs or tissue?**

All organ and tissue donations go through the Trillium Gift of Life Network. To become an organ donor, an individual (16 years or older) must die in the hospital while on life support. This situation is very rare. Tissue donation is more common.

The Trillium Gift of Life Network reviews all of the medical information when deciding if the donor is appropriate for an organ or tissue donation. In the event that an organ or tissue donation is possible, the Trillium Gift of Life Network Coordinator will speak with a family member and SDM.

If you have already registered “Yes” to donate organs and tissue with Ontario Health Insurance Plan (OHIP), you do not need to register again. You can also register with Trillium Gift of Life Network.



Trillium Gift of Life Network

[www.giftoflife.on.ca](http://www.giftoflife.on.ca)

**What if I wish to donate my body to science?**

Many people wish to donate their body to science for medical education and research. In Hamilton donated bodies go to McMaster University School of Anatomy. Donation is supervised through the Chief Coroner of Ontario.

McMaster School of Anatomy assures that the deceased are treated with dignity and respect. There are many requests for body donation but not all bodies can be accepted for medical education and research. Each body donation request is carefully considered. Even if arrangements have been previously made, there are several reasons why a body cannot be donated. We encourage you to have a back up plan for burial or cremation arrangements in case the request for donation cannot be honoured.

If the body has been accepted for donation, please discuss the burial or cremation arrangements with McMaster School of Anatomy.

**Contact**

McMaster School of Anatomy:

[www.fhs.mcmaster.ca/anatomy/bequeathals.html](http://www.fhs.mcmaster.ca/anatomy/bequeathals.html)

905-525-9140, ext. 22273

**After death occurs****At home**

Some patients wish to die at home. This wish needs to be discussed with family, the family doctor and any care providers. When the death occurs at home, someone must contact the family doctor and visiting nurse. The doctor or nurse will need to visit to confirm the death and will complete a Medical Certificate of Death.

Afterwards, a family member must contact the funeral home or crematorium to make arrangements. Have a list of friends and family who you wish to notify at home.

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**In hospital**

Family and friends may wish to stay with the deceased in the hospital room. A nurse will discuss with you when the deceased needs to be moved to the morgue before being transferred to a funeral home or crematorium.

**Autopsy**

An autopsy is not needed unless a coroner is involved or the doctor requests permission to do an autopsy. Although family may want an autopsy, we do not provide this service. If an autopsy is done, this generally will not delay the burial.

**Arrangements after death**

Having arrangements made in advance can reassure the dying person that their wishes will be honoured. Connecting with a funeral home or crematorium can be useful when planning arrangements. This will also help family and friends with the many decisions that need to be made at a very stressful time.

After death, there are many types of arrangements. This may include contacting a funeral home, religious or cultural practices which need to be respected and things which are needed by law. The staff will provide assistance with what is needed at this time.

A chaplain and/or social worker is available to help you think about your values, available resources and the options you wish to consider.

**I am concerned about the cost. Do funeral and burial arrangements cost a lot?**

The cost of a funeral and burial may be a concern to you. The final cost will depend on the options you want, which the funeral home or crematorium can outline to you. Be sure to discuss cost and payment before you make final decisions and arrangements.

If assets (funds) are held in joint accounts, money is usually available right away. If funds are in the deceased's name only and there is no Will, bank accounts and safety deposit boxes are frozen right away until the estate is settled.

It is the Executor of the Will who is responsible to complete the final arrangements. It is helpful when the Executor and the family agree on decisions that must be made. Where there is disagreement, the Executor has final say, by law.

Once the Will and Death Certificate are available, the Executor may be allowed to access money from accounts to meet expenses.

### **What if help is needed to pay for the arrangements?**

If cost is a concern, contact the City of Hamilton Social Services first. If you qualify for financial supports, you or your family member will be informed of the necessary steps that are needed.

### **Make sure that you have been approved by Social Services before making arrangements.**

There are very strict rules about what is covered. Keep in mind that the costs are taken out of survivor benefits (CPP).

Before making any burial arrangements, tell the funeral home or crematorium that Social Services will be involved.



#### **Contact**

Service Canada

[www.servicecanada.gc.ca/eng/services/pensions/after-death.shtml](http://www.servicecanada.gc.ca/eng/services/pensions/after-death.shtml)

Hamilton Regional Social Services - Special Supports Office  
905-546-2590

Brantford Social Services - Ontario Works Brant  
519-759-7009

Ask to speak with Special Services Department

Niagara Region Community Services  
Subsidized Funeral and Burial Services  
905-641-9960

Ask to speak with someone about Discretionary Benefits  
<https://www.niagararegion.ca/social-services/funeral-services.aspx>

Halton Region

Phone: Dial 311 or 905-825-6000

<http://www.halton.ca/cms/One.aspx?pageId=11992>

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## What if the deceased was a veteran?

If the deceased was a veteran, contact the Department of Veteran's Affairs to learn about funeral and burial expense grants.



[www.veterans.gc.ca/eng/services/financial/funeral-burial](http://www.veterans.gc.ca/eng/services/financial/funeral-burial)

## Resources

### Advanced care planning and substitute decision maker

- [www.theconversationproject.org](http://www.theconversationproject.org)
- [www.advancecareplanning.ca/](http://www.advancecareplanning.ca/)

### Bereavement Services in the Hamilton Burlington areas

- [www.bfo-hamiltonburlington.on.ca/](http://www.bfo-hamiltonburlington.on.ca/)
- [www.friendsingrief.ca](http://www.friendsingrief.ca)

### Hamilton Health Sciences

- [www.hhsc.ca](http://www.hhsc.ca)  
Click on the Patient Education tab and search for the handouts below:
  - Making decisions for others: Your role as a Substitute Decision Maker
  - Making your wishes known: Making decisions about your care when facing a serious health condition
  - Matters to consider following a death

### McMaster School of Anatomy

- [www.fhs.mcmaster.ca/anatomy/bequeathals.html](http://www.fhs.mcmaster.ca/anatomy/bequeathals.html)  
905-525-9140, ext. 22273

**The Office of the Public Guardian and Trustee (Ontario)  
information related to Power of Attorney**

- [www.attorneygeneral.jus.gov.on.ca/english/family/pgt/incapacity/poa.asp](http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/incapacity/poa.asp)

**Social Services**

- [www.servicecanada.gc.ca/eng/services/pensions/after-death.shtml](http://www.servicecanada.gc.ca/eng/services/pensions/after-death.shtml)
- Regional Social Services, Special Supports Office in Hamilton at 905-546-2690, Monday through Friday, 8:30 am to 4:30 pm

**Trillium Gift of Life Network**

- [www.giftoflife.on.ca](http://www.giftoflife.on.ca)
- [www.BeADonor.ca](http://www.BeADonor.ca)

**Veterans**

- [www.veterans.gc.ca/eng/services/financial/funeral-burial](http://www.veterans.gc.ca/eng/services/financial/funeral-burial)

**Will or Power of Attorney**

- Contact a lawyer or the Canadian Law Society at 1-800-268-8326  
[www.attorneygeneral.jus.gov.on.ca/english/default.asp](http://www.attorneygeneral.jus.gov.on.ca/english/default.asp)
  - Hamilton Community Legal Clinic  
[www.hamiltonjustice.ca/looking-for-a-will.php](http://www.hamiltonjustice.ca/looking-for-a-will.php)
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