

# 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

Follow the instructions in the form.

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.

Also, use the long version if you cannot physically sign the form and need another person to sign at your direction. The long version is available at the [Advance care plans page on the Better Health Channel website](https://www.betterhealth.vic.gov.au/havetheconversation) <<https://www.betterhealth.vic.gov.au/havetheconversation>>.

## **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 [the Medical consent page of the OPA website](http://www.publicadvocate.vic.gov.au/medical-consent) <<http://www.publicadvocate.vic.gov.au/medical-consent>>.

## 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 of 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.

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 appoint a medical treatment decision maker using this form, you can use this form to revoke (cancel) any previous appointment.

You may have previously appointed someone using the Appointment of Medical Treatment Decision Maker form.

Or you may have appointed someone under one of the following legal documents which are recognised by the Medical Treatment Planning and Decisions Act:

- 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.

If you previously appointed someone as your medical treatment decision maker by making any of the above-listed appointments, they will no longer have power to make medical treatment decisions for you, once you make the new appointment. However, if they have other powers under these appointments, those powers will continue.

To receive this publication in an accessible format phone (03) 9096 7498, using the National Relay Service 13 36 77 if required, or [email Advance care planning <acp@dhhs.vic.gov.au>](mailto:acp@dhhs.vic.gov.au).

Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.

© State of Victoria, Australia, Department of Health and Human Services December 2017.

ISBN 978-1-76069-214-8 (pdf/online)

Available at the [Advance care plans page on the Better Health Channel website](https://www.betterhealth.vic.gov.au/havetheconversation) <<https://www.betterhealth.vic.gov.au/havetheconversation>>.