

Advance Care Planning in Canada: Who Decides About Your Health Care, and Which Documents Name Them

Advance care planning means choosing, while still capable, who will make health and personal care decisions if a person cannot, and recording that person's wishes. Each province sets its own documents and names, such as the representation agreement in British Columbia and the power of attorney for personal care in Ontario. These documents are separate from a power of attorney for money, and separate from the forms Service Canada and the CRA use.

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<https://oasguide.ca/en/library/advance-care-planning>

Ontario's seniors guide describes four documents, and one of them covers health care

Ontario's guide to programs and services for seniors describes three kinds of power of attorney for property.¹ A continuing power of attorney for property lets the person named make financial decisions. A general one gives authority only while the person who signed it is mentally capable, and a limited one is restricted in some way.¹ The fourth document is the power of attorney for personal care. It lets the person named make personal care decisions if the signer becomes mentally incapable, including decisions about shelter, safety, hygiene, nutrition, clothing, and health care.¹

The person given this authority is called the attorney, and the word does not mean a lawyer. Ontario says a power of attorney can be made for free with a government kit, or with a lawyer.² A person has to be at least 18 to make one for property and at least 16 to make one for personal care.² Without an attorney for personal care, Ontario says family members can make some decisions, but not all.² The seniors

guide explains that this role for family members comes from the Health Care Consent Act.¹

Advance care planning names a substitute decision maker and records wishes

Health Canada describes advance care planning as something a person can do while healthy and continue after a diagnosis of serious illness.³ It involves thinking about personal values and writing down wishes about future health and personal care, for a time when the person cannot communicate them. The person who then decides is called a substitute decision maker. Health Canada says this person decides only if the patient is incapable of deciding on their own.³

Depending on the place, the role may be called a medical proxy, a health representative or agent, or a power of attorney for personal care.³ Health Canada notes that every province and territory has its own law on advance care planning or on naming a substitute decision maker. It also says the laws are not consistent and the terms and forms differ.³

British Columbia separates naming a person from giving instructions

In British Columbia, a representation agreement names someone to make health and personal care decisions if the adult becomes incapable, and it can include written instructions.⁴ The province says a representative can, in some cases, also be given authority over the routine management of financial affairs.⁵ An advance directive works differently. It gives instructions for health care directly to the health care provider, who must follow them when they speak to the care needed at the time.⁴

When a health care decision is needed and no representative has been named, a health care provider can ask a temporary substitute decision maker. The province suggests gathering contact details for the people who could be asked.⁴ For money and legal matters, BC uses a separate

document called an enduring power of attorney, which continues if the person becomes mentally incapable.⁵ Since September 1, 2011, a capable adult in BC can name a representative or make an advance directive without visiting a lawyer or notary public.⁵

Alberta uses a personal directive for decisions that are not financial

Alberta calls its document a personal directive, and the person it names is the agent.⁶ The instructions can cover "any or all personal matters that are not financial," such as medical treatment and where the person lives.⁶ Alberta says every adult aged 18 or older should have three documents: a personal directive, an enduring power of attorney for financial matters, and a will.⁶ Registering a personal directive is optional and free. The registry keeps contact information so that health care providers can find the agent, but it does not keep a copy of the directive.⁶

A power of attorney for money does not cover health decisions

A federal and provincial guide for older Canadians, published on the Government of Canada website, makes the same distinction across the country.⁷ It says documents for health and other personal decisions may be called powers of attorney, personal or health directives, representation agreements, or mandates, depending on where a person lives. It adds that these documents are not the same as powers of attorney for finances and property.⁷ The guide also explains that a general power of attorney for finances ends if the person becomes mentally incapable, while an enduring one continues.⁷

Service Canada and the CRA use their own arrangements

Service Canada's Old Age Security (OAS) toolkit describes two arrangements of its own for someone who acts for a pensioner.⁸ The Consent to Communicate Information to an Authorized Person form

(ISP1603) allows someone to speak with Service Canada for the person. The toolkit says this form does not allow that person to apply for benefits, change the payment address, or change tax withholding.⁸

When a person is not able to manage their own affairs, a trustee may be appointed instead. This requires a Certificate of Incapability (ISP3505) completed by a medical professional, along with an agreement signed by a private trustee or by an agency or institution.⁸ The Canada Revenue Agency (CRA) has its own process too. It lists a power of attorney and a representation agreement among the legal representatives it recognizes. A legal representative registers for the CRA's Represent a Client service and sends a copy of the legal documents.⁹

A family can therefore hold a valid document at the hospital and may still need separate paperwork for a pension payment or a tax file. The right combination of documents, and how they are worded, depends on the province and on each person's situation. Some people make these documents with a government form, and others work with a lawyer or notary.

Notes

1. Government of Ontario, "Guide to programs and services for seniors: Law and legal matters", page updated 2026-08-21. <https://www.ontario.ca/document/guide-programs-and-services-seniors/law-and-legal-matters> (accessed 2026-10-06)
2. Government of Ontario, "Make a power of attorney", page updated 2025-10-14. <https://www.ontario.ca/page/make-power-attorney> (accessed 2026-10-06)
3. Health Canada, "Palliative care: Preparing and deciding", page modified 2023-11-23. <https://www.canada.ca/en/health-canada/services/health-services-benefits/palliative-care/preparing-deciding.html> (accessed 2026-10-06)
4. Province of British Columbia, "Advance Care Planning", page updated 2025-01-14. <https://www2.gov.bc.ca/gov/content/family-social-supports/seniors/health-safety/advance-care-planning> (accessed 2026-10-06)
5. Province of British Columbia, "Substitute Decision-Making and Incapacity Planning", page updated 2024-06-11. <https://www2.gov.bc.ca/gov/content/family-social-supports/seniors/financial-legal-matters/substitute-decision-making> (accessed 2026-10-06)
6. Government of Alberta, "Personal directive", page updated 2025-07-24. <https://www.alberta.ca/personal-directive> (accessed 2026-10-06)

7. Employment and Social Development Canada (Federal/Provincial/Territorial Ministers Responsible for Seniors Forum), "What every older Canadian should know about: Powers of attorney (for financial matters and property) and joint bank accounts", page modified 2025-05-07. <https://www.canada.ca/en/employment-social-development/corporate/seniors-forum-federal-provincial-territorial/power-attorney-financial.html> (accessed 2026-10-06)

8. Employment and Social Development Canada, "The Old Age Security program toolkit", page modified 2025-11-07. <https://www.canada.ca/en/employment-social-development/programs/old-age-security/reports/oas-toolkit.html> (accessed 2026-10-06)

9. Canada Revenue Agency, "Authorize a representative: Legal representative", page modified 2026-06-30. <https://www.canada.ca/en/revenue-agency/services/tax/representative-authorization/legal-representative.html> (accessed 2026-10-06)

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