

“What happens if you don’t have an Advance Care Plan?”

This is a brilliant question which has a “nothing” and “everything” answer to it depending on the circumstances. First is a brief answer to what this question is usually aimed at, but an answer with more details at the end for those who want the ‘*if this, then that*’ complicated version.

In brief....

If it is an emergency and you were unable to speak for yourself, the doctors will try to speak with your family and make the best decision about your treatment based on the information they have.

The details... Advance Care Planning is a whole heap of things.

It includes conversations as well as forms to plan for your future health and personal care so that you, your family, friends, carers and doctors know your values and preferences. It can include appointing someone to speak on your behalf, a directive to tell the doctors what to do if you cannot speak, as well as things like how you want your body to be cared for after you die, funeral arrangements, Wills and appointing an Executor. Check out [Advance Care Planning Australia](#) for more details for your State or Territory.

In [Victoria](#) – an Advance Care Plan [or Advance Care Directive](#) is only activated if you are unable to speak for yourself and a decision needs to be made about significant medical treatment. If you have not nominated someone as [your Medical Treatment Decision Maker](#) (or MTDM, similar to the previous Medical Power of Attorney) a couple of things might happen.

- If it was an emergency, the doctors can treat you without you giving consent and are not required to go searching for an Advance Care Directive that is not readily available.
- If it is not an emergency but the doctors consider you do not have the capacity to make a decision and it is unlikely that you will regain capacity in time to make a decision, the doctors can apply to the Public Advocate to consent to or refuse treatment, or to get advice on how to care for you.
- If there is a family member present, the doctors will likely ask them about what your wishes would be. The hierarchy of who the doctor will ask, follows the first of the following people who is in a close and continuing relationship with the patient. If more than one relative is first on this list, it is the eldest:
 - the patient’s spouse or domestic partner
 - the patient’s primary carer (not a paid service provider)
 - an adult child of the patient
 - a parent of the patient
 - an adult sibling of the patient.

As you can see – it can get complicated! The Public Advocate in Victoria has even produced an app and a [flowchart](#) to help guide doctors when this happens, however this is fortunately a rare event.

The important thing to remember is - Everyone will try to do the very best to care for you and follow your wishes. However, in an emergency when you cannot speak for yourself, your wishes are much more likely to be followed if people know about them. An Advance Care Directive and talking about your wishes with your family is probably the best combined Christmas, Birthday and Anniversary present you could ever give them. Because it is your family who will be dealing with this in a time of great stress and fear. Anything you can do to reduce that stress would be an amazing gift for your loved ones.

Do your plan today!

