

Hierarchy of substitute decision-makers

The *Health Care Consent Act, 1996* sets out the priority of substitute decision-makers (SDMs) and the principles that apply.

The SDM acts as if they were the client and is entitled to all of the information for making the decision just as the client would be. The SDM is required to act in the client's best interests, taking into account any wishes expressed by the client while they were capable.

Pictured below: The Hierarchy of substitute decision-makers. You must seek consent from the individual who is highest on the list. You also need to make sure that individual is available and willing to make a decision on behalf of the incapable person. If not, the next highest qualified individual is selected.

