

# A Guide to the Health Care Consent and Substitute Decisions Legislation for Occupational Therapists

College of Occupational Therapists of Ontario

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## Errata

In preparing *PREP Module 4: Consent: Responsibilities for Ontario's Occupational Therapists*, some inaccuracies in the *Guide to the Health Care Consent Act* came to the attention of the College. Please attach this document to your copy of the Guide.

1) Pg. 12 contains a Note that reads, "If the individual already has a guardian or a validated power of attorney for personal care the determination of capacity is not required. Those individuals have already officially been found to be incapable."

**Remove the Note.**

2) Pg. 12 contains a statement that "An individual who regains capacity has the right to again make their own decisions unless their substitute decision maker has a validated power of attorney or is a guardian appointed under the *Substitute Decisions Act*."

**This sentence should read "An individual who regains capacity has the right to again make their own decisions."**

3) Pg. 18 contains the statement "A power of attorney for personal care or property comes into effect when the person who granted it becomes mentally incapable."

**Remove the phrase "or property".**

4) Pg. 18 contains the statement, "Only designated capacity assessors may determine capacity for instituting either a power of attorney for personal care or property."

**Add "unless the power of attorney specifies a person to confirm incapacity."**

Store at Tab 8 of your Resource Binder, with the Guide to the Health Care Consent Act & Substitute Decisions Legislation for Occupational Therapists.