Decision Tree for Obtaining Consent

For use by OTs when determining the most appropriate individual to provide informed consent for occupational therapy services under the Health Care Consent Act, 1996.

**Q1. Is the client capable to consent to the OT service being proposed at this time?**
- Client understands the information relevant to the proposed services;
- Client appreciates the consequences of his/her decision or lack of a decision related to the services

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**No**
Inform client that a SDM will make decisions on his/her behalf. Does the client request a review of the finding of incapacity?

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**Yes**
Assist client in making an application for an appeal to the CCB.

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**No**
Have you identified the highest ranking SDM who is available and willing to make decisions for the client?

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**Yes**
Have you identified the highest ranking SDM who is available and willing to make decisions for the client?

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**No**
Proceed with service.

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**Q2. Is informed consent received from the client or SDM?**

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**Yes (go to Q2.)**
PGT has made a decision. Go to Q2.

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**No**
Gather additional evidence (for example cognitive assessments), consult with other team members, and arrive at a decision. Go to Q1.

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**Yes**
Proceed with service.

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**Do not initiate service.**

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SDM – Substitute decision-maker
CCB – Consent and Capacity Board
PGT – Public Guardian and Trustee