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## [DHHS](#)

[A gateway to the strategies, policies, programs and services delivered by the Department of Health & Human Services.](#)



## [Seniors Online](#)

[Victorian government portal for older people, with information about government and community services and programs.](#)

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## Medical treatment decision makers

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- [Disability services](#)
- [Emergency, crisis and support services](#)

## Summary

- Appointing a medical treatment decision maker gives someone the power to make medical choices for you if you are unable to.
- To appoint a medical treatment decision maker, fill in the appointment form, sign it and have two people witness it (make sure you check all the witnessing requirements).
- As long as you are legally competent, you can change your medical treatment decision maker at any time. You can also appoint more than one person to be your medical treatment decision maker if you wish.
- Tell your medical treatment decision maker what you think about life support, surgery, medication and anything else that could be relevant.
- Make sure your doctor knows who your medical treatment decision maker is.

You can nominate someone you trust to make decisions about your healthcare on your behalf, in the event that you suffer an injury or medical condition that affects your ability to make those decisions yourself. To legally empower someone to do that, you appoint the person to be your 'medical treatment decision maker'.

## Appointing a medical treatment decision maker

Appointing a medical treatment decision maker gives a trusted person (or people) the power to make decisions on your behalf. Anyone over 18 years old and of sound mind can appoint a medical treatment decision maker.

In a medical context, the agreement is specifically about making medical decisions when you are unable to make those decisions yourself, for example, if you are unconscious after an injury.

## Reasons to have a medical treatment decision maker

If you have a medical condition that affects your ability to retain new information and make decisions, appointing someone to be your medical treatment decision maker is a good course of action.

Some examples of conditions that may put you in this position include:

- acquired brain injury
- cognitive (thinking) impairment
- unconsciousness
- inability to communicate (for example, after suffering a severe stroke)
- dementia.

Other situations where you may choose to appoint a medical treatment decision maker include:

- if you do not want life support at a certain point in an illness or after an accident
- if you are worried you may be injured performing a certain activity, such as playing a high-contact sport.

## What medical treatment decision maker means

When you ask someone to be your medical treatment decision maker, you give them the power to make all the decisions about your healthcare and medical treatment when you are unable to. However, they cannot make financial or property decisions for you. That requires a different type of legal appointment, which you can learn more about by visiting the Office of the Public Advocate.

Your medical treatment decision maker is legally bound to act in a way that promotes your personal and social wellbeing. This means that they must consider your medical preferences, values and beliefs in order to make the decision they believe you would have made were you able to.

## How to appoint a medical treatment decision maker

You can appoint a medical treatment decision maker at any time so long as you are over 18 and of sound mind, but their role only begins if and when you lose the ability to make your own medical decisions. You do not have to lose capacity permanently. For example, if you are injured or ill temporarily, your medical treatment decision maker can make treatment decisions for you until you recover.

To appoint a medical treatment decision maker you must fill in the appointment form, sign it and have it witnessed by two people. One of the two witnesses needs to be a qualified person, such as a Justice of the Peace. Also make sure that the person who you want to appoint as your medical treatment decision maker is not a witness.

To accept the appointment, your medical treatment decision maker will also have to sign the form in front of your witnesses.

You can download an 'Appointment of medical treatment decision maker' form [here](#).

Make sure you keep the original form somewhere safe and tell two or three trusted people where it is. You should also give copies to your medical treatment decision maker, your doctor and your local hospital. Have your medical treatment decision maker's contact details with you at all times in case of emergency, and tell your close family members and friends who your medical treatment decision maker is.

## Communicate your views with your medical treatment decision maker

It is important to talk to your medical treatment decision maker about your views on and wishes for any medical treatment you may need and make sure they are clear about your choices. This could include surgery, types of medication and life support systems. It can be useful to write down your thoughts, using an advance care directive for example, so your medical treatment decision maker and the rest of your family and friends are clear about your wishes.

There is more information on recording wishes for future care and related matters in the section on [advance care planning](#).

## How to change your medical treatment decision maker

If for some reason you wish to revoke the appointment of your medical treatment decision maker, you must complete a revocation form and have it witnessed by two people. One of these witnesses must be qualified to witness affidavits.

You must also take reasonable steps to let your previous medical treatment decision maker know that you have revoked their appointment. However, if for some reason you are unable to let them know, the revocation will still be valid.

You can download a 'Revocation of medical treatment decision maker' form [here](#).

You can also appoint more than one person to be your medical treatment decision maker. There is no limit to the number of medical treatment decision makers you can appoint. However, only one person will be able to act on your behalf at any given time. If you were to lose capacity and a decision had to be made on your behalf, the first person you appointed will act as your medical treatment decision maker. If they are unavailable, then the second appointee will become your medical treatment decision maker, and so on.

## Your role as medical treatment decision maker

If someone wishes to appoint you as their medical treatment decision maker, you are being put in a position of trust. Your first act should be to discuss with the person appointing you what their opinions are on particular medical issues, especially things like the use of life support machines and surgical procedures. You may want to write down their wishes to avoid confusion later on, especially if some time has passed since you were appointed.

Once your role as medical treatment decision maker begins (when the person is unable to make their own decisions), it is your responsibility to do your best to make the same decisions the person would make if they were able to. You need to make sure you are always available to consult with any doctors and others in the person's medical team.

## Where to get help

- Your doctor
- Lawyer
- [Victoria Legal Aid](#)

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Please note that we cannot answer personal medical queries.

If you are looking for health or medical advice we recommend that you:

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## More information

### Browse end of life and palliative care topics

The following content is displayed as Tabs. Once you have activated a link navigate to the end of the list to view its associated content. The activated link is defined as Active Tab

- [End of life and palliative care services](#)
- [End of life and palliative care for all communities](#)
- [Support for family and carers](#)
- [Practical Care to assist family and carers](#)
- [Living with a life-limiting condition](#)
- [Planning and decisions about end of life](#)
- [At the end – dying explained](#)
- [Grief, loss and bereavement](#)

#### End of life and palliative care services

- [End of life and palliative care explained](#)  
[Palliative care helps improve the quality of life for a person with a life-limiting illness, as well as the lives of their family, friends and carers, through advice, information, referral and support...](#)
- [Accessing a palliative care service](#)  
[Find out how you can access palliative care for medical treatment, emotional support and practical help to maintain your quality of life for as long as your condition allows...](#)
- [End of life and palliative care at home](#)  
[Some people prefer having palliative care at home because of the familiar environment, feeling of independence and close access to family, friends and the local community...](#)
- [Who's who in a palliative care team](#)  
[The members of your palliative care team may include doctors, nurses, allied health professionals, volunteers and carers...](#)
- [Palliative care in a hospital or community residential home](#)

[You can have inpatient palliative care in a hospital or a specialist inpatient palliative care unit...](#)

### **Palliative care for all communities**

- [Palliative care services for Aboriginal and Torres Strait Islander people](#)

[There are culturally sensitive palliative care services that will help you and your family...](#)

- [Palliative care for culturally and linguistically diverse communities](#)

[There are culturally sensitive palliative care services that will help you and your family...](#)

- [Palliative care for the LGBTI community](#)

[There are end of life and palliative care services that provide safe, inclusive care for people who identify as LGBTI...](#)

- [End of life and palliative care for children, teenagers and young adults](#)

[Palliative care for children provides physical, emotional, social and spiritual support to newborns, infants, children and young people with a life-limiting condition and their families...](#)

- [End of life and palliative care for older Victorians](#)

[If you are living with a life-limiting illness, end of life and palliative care services can be provided to you at home...](#)

- [End of life and palliative care for people living with a disability](#)

[End of life and palliative care for Victorians living with a disability can be provided at home, in specialist disability accommodation, in residential aged care or in an inpatient facility at a...](#)

### **Support for family and carers**

- [Providing end of life and palliative care for someone at home](#)

[Some people prefer having palliative care at home because of the familiar environment, feeling of independence and close access to family, friends and the local community...](#)

- [Looking after yourself as a carer](#)

[If you are a carer, for example of a person with a disability or mental illness, or recovering from an accident or illness or an older person with care needs, you need to look after yourself or the...](#)

- [Grief - how to support the bereaved](#)

[If you're unsure of how to support someone who is grieving, ask them...](#)

- [End of life and palliative care volunteers](#)

[Some people prefer having palliative care at home because of the familiar environment, feeling of independence and close access to family, friends and the local community...](#)

- [Carers Victoria](#)

[Carers Victoria provides information and advice to carers and their families about carer supports and services...](#)

- [Palliative care – complaints about legal, financial and funeral services](#)

[It is okay to speak up and make a complaint if you think something is wrong with the service being provided...](#)

### **Practical Care to assist family and carers**

- [Providing practical end of life and palliative care at home](#)

[Some people prefer having palliative care at home because of the familiar environment, feeling of independence and close access to family, friends and the local community...](#)

- [Palliative care – dealing with common symptoms](#)

[Some people prefer having palliative care at home because of the familiar environment, feeling of independence and close access to family, friends and the local community...](#)

- [Palliative care – emotional, spiritual and cultural care](#)

[Some people prefer having palliative care at home because of the familiar environment, feeling of independence and close access to family, friends and the local community...](#)

### **Living with a life-limiting condition**

- [Maintaining your quality of life during a life-limiting illness](#)

[End of life and palliative care is based on person-centred and holistic care. Talk with your family, close friends, doctor and your palliative care team about what they can do to help you to make the...](#)

- [Managing your pain and other symptoms during a life-limiting illness](#)

[The healthcare professionals in your palliative care team will work together to manage your pain so that you can focus on the things you enjoy...](#)

- [Making plans and decisions for the end of your life](#)

[Planning and making decisions about the end of your life can be a positive experience. It is a good opportunity to reflect on the things that are important to you, and to make arrangements that suit...](#)

#### **Planning and decisions about end of life**

- [Dealing with news about dying](#)

[It is important to acknowledge that you will respond in your own way to the news that you are dying. Respect your need to question, your need for silence and your need to talk...](#)

- [Making plans and decisions for the end of your life](#)

[Planning and making decisions about the end of your life can be a positive experience. It is a good opportunity to reflect on the things that are important to you, and to make arrangements that suit...](#)

- [Advance care plans](#)

[Advance care plans can help the people close to you and those caring for you to know what is important to you about the level of healthcare and quality of life you would want...](#)

- [Your rights at the end of life](#)

[It is important for the family members of someone who is facing the end of their life to respect their wishes and follow through with the requests of their loved one as much as is practical and...](#)

- [Financial considerations for end of life](#)

[If you are terminally ill, there is financial support available for your care, health expenses and other everyday expenses...](#)

- [Medical treatment decision makers](#)

[You can appoint someone to be your medical power of attorney, also known as 'enduring power of attorney \(medical treatment\)', to make medical decisions on your behalf when, in certain circumstances...](#)

- [Planning where you want to die](#)

[If you have preferences about how and where you want to die, it is important that you tell your carers, family, friends and healthcare professionals...](#)

- [Second opinions](#)

[You have the right to ask a doctor for a second opinion if you are unsure about your doctor's suggested medical treatment or a diagnosis...](#)

#### **At the end – dying explained**

- [At the end – dying explained](#)

[Some people prefer having palliative care at home because of the familiar environment, feeling of independence and close access to family, friends and the local community...](#)

- [What to do after someone dies](#)

[When someone dies, it will help you to have a written plan of what you need to do including who you need to contact...](#)

- [Death in hospital](#)

[Organising a funeral is an important part of grieving, so it is worth spending time to plan the funeral that you and the deceased person would want...](#)

- [Funerals](#)

[It is the funeral directors job to help with many of the legal responsibilities, including the death certificate...](#)

- [Autopsy](#)

[Immediate family have the right to refuse a hospital post mortem of the deceased and can object to a coronial post mortem...](#)

- [Grief](#)

[Grief is a process, not an event – most people will continue to grieve in subtle ways for the rest of their lives...](#)

- [Grief - how to support the bereaved](#)

[If you're unsure of how to support someone who is grieving, ask them...](#)

#### **Grief, loss and bereavement**

- [Talking about dying](#)

[It is important that you make as much quality time as possible to spend with those you love and that you talk to them about dying...](#)

- [Grief](#)

[Grief is a process, not an event – most people will continue to grieve in subtle ways for the rest of their lives...](#)

- [Grief - how to support the bereaved](#)

[If you're unsure of how to support someone who is grieving, ask them...](#)

- [Grief – support services](#)

[People who have support from family and friends are less likely to suffer poor health after bereavement and loss...](#)

- [Grief and children](#)

[It can be difficult to talk to a child about death, but it is important to be honest with them...](#)

## Related Information

- [Health Complaints Commissioner](#)

The Health Complaints Commissioner (HCC) resolves complaints about healthcare and the handling of health information in Victoria. It can also investigate providers who pose a serious danger to the...

- [End of life and palliative care for children, teenagers and young adults](#)

There are age sensitive palliative care services that will help you and your family...

- [Healthcare decision-making – options, benefits and risks](#)

Ask a doctor and research health information when making a health decision. This will include the cost, timing and regularity of medical treatment...

- [Confidentiality and privacy in healthcare](#)

There are laws that set out how healthcare professionals can collect and store your health information and when they are allowed to share it...

- [Making a complaint about disability services](#)

If you are unhappy with the way a disability service has treated you, you have the right to complain and to have your concerns addressed...

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## Related information on other websites

- [Office of the Public Advocate](#)
- [Victoria Legal Aid](#)

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## [End of life and palliative care services videos](#)

### [About palliative care – Moira and George \(video\)](#)

16 Nov 2015 Duration: 4:00



### [Taking Care of Dying Time \(video\)](#)

Duration 10:04



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[About palliative care services in Victoria \(video\)](#)

[29 Jun 2016](#) Duration



[Think about it tomorrow - Advance Care Plans \(video\)](#)

[Duration 8:47](#)



[Advance Care Planning – act while you're still healthy \(video\)](#)

[20 Oct 2015](#) Duration 3:51

Multilingual resources on palliative care Health Translations

## Health Translations

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Amharic
- العربية  
Arabic
- ههڙيه  
Assyrian
- မြန်မာဘာသာ  
Burmese
- 中文  
Chinese

[See more translations for Palliative care on Health Translations](#)



Victoria's end of life and palliative care framework

[betterhealth.vic.gov.au](http://betterhealth.vic.gov.au)

Victoria's end of life and palliative care framework aims to ensure Victorians and their families receive the best possible end of life care that places them at the centre where preferences, values, dignity and comfort are respected and quality of life matters most.

[Victoria's end of life and palliative care framework](#)



## Palliative Care Victoria

Palliative Care Victoria provides palliative care information and advice for families, patients, service providers and volunteers in Victoria to help relieve the pain, symptoms and stress caused by serious illnesses.

[Palliative Care Victoria website](#)



## Personal stories - advance care planning

These five personal stories highlight the importance of making an advance care plan at any stage of your life.

[advance-care-plan-personal-stories](#)

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