



*John is a caregiver; he worries about his spouse Mary, who has dementia. Getting his own affairs in order will make things easier for his family and Mary's care if he should become incapable.*

*Cynthia recently had surgery. Going over the risks with the surgeon made her realize she wants a plan in place BEFORE a crisis.*



## Are you planning for the future like John and Cynthia?

*If you are capable of making your own decisions now and want to plan in case you become mentally incapable in the future, you need two legal documents to make sure all life areas are covered.*

### WHICH TWO DOCUMENTS DO I NEED?

#### 1) REPRESENTATION AGREEMENT SECTION 9

A Representation Agreement Section 9 (RA9) is a legally enforceable document for authorizing someone—a representative—to assist you or to act on your behalf for **health and personal care** matters.

The RA9 covers decisions about living arrangements, lifestyle preferences, minor and major health care, and refusing life support. The RA9 does not cover financial or legal affairs.

You must understand the types of decisions covered and the effect of appointing a representative in order to be considered capable of making an RA9.

A representative must make decisions according to your instructions, wishes, values and beliefs.

#### Do I also need a Living Will or Advance Directive?

No, you do not need to make a Living Will or Advance Directive. If you do make these documents, give them to your representative. They can apply your instructions and wishes to the situation you intended—even if the medical team or family disagrees.

An Advance Directive is a legal document in BC as of September 1, 2011. It can be used for specific instructions about health care only. It is not equivalent to an RA9. You must be mentally capable to make it.

A Living Will\* is not a legal document. It is a way to list your wishes and values about future care.

\*Health authorities use the term 'advance care plan' instead of the term 'living will'.

#### 2) ENDURING POWER OF ATTORNEY OR A REPRESENTATION AGREEMENT SECTION 7 FOR ROUTINE FINANCES

In addition to making an RA9, you need to make a separate document to cover your **financial and legal affairs**. There are two options:

You can choose between an Enduring Power of Attorney (EPA) **or** a Representation Agreement Section 7 for routine financial and legal affairs (RA7 F+L).

An EPA covers more financial matters than the RA7 F+L. An EPA does **not** cover health or personal care matters.

Learn more at [www.nidus.ca](http://www.nidus.ca)

>> click on the heading *I'm Planning for the Future*

*Nidus has forms for making a Representation Agreement; no legal professional is required. For making an Enduring Power of Attorney, see a lawyer or notary public.*

**Register your completed documents so they are available when needed!**  
[www.nidus.ca/registry](http://www.nidus.ca/registry)



*Mary has dementia and now needs her spouse John's support with all daily living activities. She did not make any plans in advance.*

*Albert is a widower. A blood clot during recent surgery led to a serious stroke and now there are questions about brain damage. His three children want to help arrange for rehabilitation and other supports. He has a Will but no documents in place for this type of situation.*



## Do you know someone like Mary or Albert who needs help today?

*If you know someone whose mental capability is in question, you can assist them with making a Representation Agreement Section 7 (RA7) so they can get help without losing their rights to adult guardianship.*

### WHAT IS AN RA7? WHAT DOES IT COVER?

A Representation Agreement Section 7 is a legal document in BC. It is for situations like Mary's and Albert's where a person's mental capability is affected by illness or injury and they need help with decision making or managing their affairs.

The RA7 can cover minor and major **health care** decisions and **personal care** decisions, such as living arrangements. It does not cover as many health and personal care matters as the RA9 (see over). However, the RA7 is available for someone who is considered incapable of making an RA9.

An RA7 can also cover **routine financial and legal affairs**. It does not cover as much as the EPA (see over). If someone is considered incapable of making an EPA, they may make an RA7 to cover financial and legal affairs.

### WHO CAN MAKE AN RA7?

The provincial government put the RA7 into law to ensure **all** adults in BC are able to make a legal document to give authority to personal supporters—even if their mental capability is in question.

The RA7 presents a different view of capability than other documents. For example, in order to make an EPA or RA9, there is a specific capability standard that everyone must meet. The RA7 has **no** specific standard

or criteria for capability; it depends on a variety of factors and may be different for each individual.

Even if a doctor says an adult is mentally incompetent, this does not prevent the adult from making an RA7.

### HOW DOES THE RA7 HELP MARY?

Mary's spouse John does not have every legal authority, even as a spouse, to support Mary's health and personal care needs or her financial affairs. An RA7 gives John more legal authority to help Mary, and it can authorize other individuals as back-up in case something happens to John.

### HOW DOES THE RA7 HELP ALBERT?

Albert may make an RA7 giving legal authority to his children to help him with all life areas. This allows them to pay his bills, renew his car insurance, and access his tax return to determine eligibility for services. They could also arrange for his rehabilitation and assist him with health care decisions.

Learn more at [www.nidus.ca](http://www.nidus.ca)

>> click on the heading *Caring for an Older Adult*

*Nidus has forms for making a Representation Agreement Section 7; no legal professional is required.*

*Register the completed RA7 so it is available when needed!*  
[www.nidus.ca/registry](http://www.nidus.ca/registry)