

Enduring Power of Attorney (Medical)

What is a Medical EPA?

An Enduring Power of Attorney (**EPA**) for Medical Treatment allows you (the Donor) to appoint a person (the Agent) to make medical treatment decisions on your behalf. This document comes into effect only when you are incapable of making these types of decisions for yourself.



What decisions can my Agent make?

A Medical Agent unlike your Guardian can both consent to and refuse medical treatment on your behalf, including your participation in medical research.

The Medical Agent's decision takes precedence over the healthcare decisions made by your Guardian (if you have appointed an Enduring Guardian).

There are some restrictions placed on your Medical Agent; they cannot consent to medical procedures which are likely to lead to infertility, will terminate a pregnancy or those which will remove tissue for transplant purposes. These specific procedures require the consent of the Victorian Civil and Administrative Tribunal (**VCAT**). Your Medical Agent must always:

- Act in your best interests;
- Make the same decisions that you would have made if you were capable (wherever possible); and
- Avoid conflict of interest situations.

Why do you need a Medical EPA?

If you have strong medical convictions and wish to ensure your wishes are carried out then you may wish to appoint a Medical Agent.

Although your next of kin or appointed Guardian has the power to consent to medical treatment neither of them have the authority to refuse medical treatment. Therefore if you do not wish to be resuscitated or do not want to receive a blood transfusion or have strong convictions regarding other medical procedures, then to ensure your wishes are acknowledged it is important that you appoint a Medical Agent to act on your behalf.

Who should you appoint as your Medical Agent?

You should appoint someone who you trust will make medical decisions in accordance with your wishes. Usually a family member or close friend.

