



# Plan Ahead Alberta

Information on health, financial and  
estate planning

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Covenant Health  
Palliative Institute

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# Acknowledgements

This toolkit is built from resources and information from Alberta-based sources including and not limited to Alberta Health Services, Government of Alberta, and Center of Public Legal Education. This toolkit was developed and reviewed by an expert working group.

The working group, advisory committee, public panel, and experts provided consultation, wisdom, and support instrumental to the development of the toolkit.

This toolkit is intended to provide general information only. Every effort has been made to ensure the accuracy of the information contained within. The contents of this toolkit do not constitute medical or legal advice and should not be relied upon as such. It is recommended that individuals seek the advice of professionals in the relevant fields for personalized guidance on their specific circumstances.

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# About Plan Ahead Alberta

## What is in this resource?

Plan Ahead Alberta is one part of the Plan Ahead Toolkit. It contains information on health, financial, and estate planning specific to our province and is an information source to help community organizations host Plan Ahead sessions.

The other components of the Plan Ahead Toolkit include:

- **Plan Ahead Facilitator Guide** - a resource to help facilitators prepare and lead Plan Ahead education sessions
- **Plan Ahead Presentation**- a ready-to-use slide deck with speaker notes
- **Plan Ahead Starter Kit** - a package of print resources for facilitators to share with participants in Plan Ahead education sessions

Please note that this is not an exhaustive resource on planning ahead for all situations. It is intended to introduce the essential planning processes and documents in Alberta.

**Thank you for helping your community to plan ahead!**



## Overview of the Key Planning Documents in Alberta

Every Albertan who is at least 18 years old should have the following legal documents prepared for their health, finances and estate: a **Personal Directive**, an **Enduring Power of Attorney** and a **Will**. Depending on your situation, you may also need a **Goals of Care Designation Order** and **Supported Decision-Making Authorization**. The table below summarizes these documents.

Planning document	Who needs it?	Purpose	When does it come into effect?
<b>Personal Directive</b>	Every Albertan 18+	To document your health and personal care instructions and appoint an <b>agent*</b> who will make decisions for you about personal (non-financial) matters	Only if you lose capacity
<b>Goals of Care Designation Order</b>	Albertans who do not want full resuscitative care or when it is not medically appropriate. To find out if you need a GCD order, talk to your healthcare provider	To describe and communicate the general aim or focus of care including the preferred location of that care	Immediately. It is especially important in a medical emergency
<b>Supported Decision-Making Authorization</b>	A capable adult who wants or needs help making personal decisions	To appoint a <b>supporter*</b> who can access your personal information and help you make personal (non-financial) decisions	Immediately
<b>Enduring Power of Attorney</b>	Every Albertan 18+	To outline your financial instructions and appoint an <b>attorney*</b> who will make financial decisions for you while you are alive	You can specify either of these times: (1) immediately and continuing if you lose capacity Or only if you lose capacity
<b>Will</b>	Every Albertan 18+	To name a guardian for any children who are minors, to instruct how to distribute your property and possessions and to appoint a <b>personal representative*</b> who will carry out these instructions	After your death

\* An appointed individual must be 18 years of age or older. This may be a family member, friend, or trusted advisor

If a person does not have these documents in place, family or friends may have to apply to the court for permission to manage these matters, which takes time and money. This toolkit will expand on the above documents in more detail, along with other steps Albertans can take to identify and protect what matters most to them.



# Health and Personal Planning



## How Jose and Mariana Have Planned Ahead

Jose has diabetes and he is in good health. Jose's daughter, Mariana, accompanies Jose to his medical appointments because he sometimes has difficulty communicating in English with his doctor. Jose has taken the following steps in making health and personal decisions:

- Jose completed a **supported decision-making authorization form** which gives Mariana permission to access Jose's personal information, talk to his service providers, and help him make and communicate decisions about his current health care.
- Jose completed a **personal directive** that outlines his wishes for personal care in the event he can't speak for himself.
- Jose chose Mariana as his **agent** in his Personal Directive and talked to her about what is most important to him.
- Jose has discussed his wishes for **organ and tissue donation** with Mariana.

It is important for all Albertans to plan for their health and personal care as Jose has done.

This section will discuss advance care planning, supported decision-making, and organ and tissue donation.



# Advance Care Planning

## What is advance care planning?

**Advance care planning** is how you think about, talk about, and document the health and personal care you want to receive now and in the future.

## When should you do advance care planning?

It is important for every adult at any stage of life. It is best done when you are healthy and before there is an urgent need for it.

## What are the documents involved in advance care planning?

The following documents are involved in the advance care planning process. Depending on your health situation, you may or may not require all of them.

- Personal Directive
- Goals of Care Designation Order
- Tracking Record

## How do you do advance care planning?

There are five steps to advance care planning:

1. **Think** about your values and goals.
2. **Learn** about your own health.
3. **Choose** someone to make health and personal decisions for you.
4. **Share** your wishes with the people you trust and your healthcare team.
5. **Record** your wishes in a personal directive.

Advance care planning is not meant to be done in one sitting and placed out of mind. Review and update your documents as your health changes, or as your values and wishes evolve. Continue to have conversations with the people closest to you and your healthcare providers so that everyone is aware and up to date about your wishes for care.

## Why is it important to do advance care planning?

Advance care planning allows your values and care preferences to be known by the people that matter most to you and your healthcare team, even if you become too sick or injured to speak for yourself. Doing your advance care planning can also help you make other decisions because you better understand your health and what is most important to you.



# Personal Directive

## What is a personal directive?

A **personal directive** is a legal document that outlines your health and personal care instructions and who will make care decisions for you if you become too sick or injured to make your own decisions (your **agent**). It is written when you have **capacity**.

## Who needs a personal directive?

Every Albertan 18 years of age and older should have a personal directive.

## What goes in a personal directive?

Your personal directive can be about any personal and health matters that are not financial, such as:

- medical treatments you do or do not want.
- where you want to live.
- who you would like to live with.
- who will care for your children under 18 years old.
- decisions about other personal or legal matters, including recreation, employment, and education.

## Who can I choose to be my agent?

An agent must be at least 18 years old and have capacity. Choose someone you trust, who understands your values, wishes and beliefs, can make highly sensitive decisions, and act in your best interest. It is best to ask the person directly if they are willing to be your agent before naming them in your personal directive.

You can name one or more people to be your agent. If you name more than one person, you can state whether they are to act separately or jointly. It is also a good idea to specify how you want them to exercise their authority, make decisions and communicate with one another.

An agent cannot act as witness to your signature on your personal directive.

## How is a personal directive created?

You can complete a personal directive on your own or with a lawyer. To obtain a personal directive form and instructions, visit the Alberta government's [Office of the Public Guardian and Trustee website](#). You may wish to discuss your personal directive with your healthcare provider and/or lawyer as there may be additional considerations to be aware of, depending on your situation (e.g., health status and legal matters). Your personal directive will stay in effect until you change it, cancel it, or die.

Important life events such as getting married or becoming a parent may require a review and update of your personal directive, along with other important documents (e.g., enduring power of attorney, will).



## Why is it important to have a personal directive?

During moments of stress and difficult decision-making, your agent will be able to direct your care and communicate what you want on your behalf. This can prevent confusion and disagreement about how your personal and healthcare matters are to be managed.

The personal directive only comes into effect if you lose capacity to make decisions. If you don't have a personal directive and doctors determine you can't make your own decisions:

- you don't get to choose who will make decisions for you.
- a healthcare provider may ask your nearest relative to make decisions for you.
- a family member or friend may have to go to court to become your guardian to make decisions for you. This takes time and money.

## Goals of Care Designation Order

### What is a goals of care designation (GCD) order?

It is a medical order written by your doctor or nurse practitioner that provides instructions to your health care team and specifies the type of care (that best aligns with your wishes, values, and medical situation) you wish to have if you are unable to tell them yourself.

### Who needs a GCD order?

Not everyone needs a GCD order. Without a GCD order, **full resuscitative care** (e.g., cardiopulmonary resuscitation (CPR)) is provided when your heart stops beating, or you stop breathing. It is important to have a GCD order when full resuscitative care is not what you want or is not appropriate for your illness. To find out if you need a GCD order, talk to your healthcare provider.

### What is in a GCD order?

A GCD order specifies the approach to care that best aligns with your wishes, values, and medical situation. There are three general approaches to care:

- **Resuscitative care:** provides all suitable intensive treatments to prolong and preserve life.
- **Medical care:** provides all suitable care to manage or cure illnesses without using unwanted intensive treatments.
- **Comfort care:** provides as much support, care, and comfort as possible to ease symptoms from incurable illness.

### How is a GCD order created?

After discussing your wishes, values and health situation with you, your doctor or nurse practitioner will recommend the best type of care for you, which they will write in your GCD order. Your personal directive can also inform this process. It is important that you speak up about what is important to you.



Your GCD order can and should change as your health changes. You can ask your healthcare provider to change your GCD order as many times as you want.

### **Why is a GCD order important?**

It helps the healthcare team match your unique values and preferences to care that is most appropriate for you and your healthcare condition.

### **What is the difference between a GCD order and a personal directive?**

Your healthcare provider writes your GCD order with you to guide medical treatment decisions. Your personal directive is a legal document that you write yourself or with a lawyer to outline your health and personal care instructions and who will make care decisions for you if you are unable. If you have a GCD order, it will be used alongside your personal directive.

### **Tracking Record**

#### **What is a Tracking Record?**

It is a form your healthcare team uses to track conversations and decisions about your advance care planning and goals of care designation.

#### **Why is it important?**

Your tracking record helps your healthcare team to understand when and why your current healthcare decisions were made and if they need to be updated. This saves you from repeating your medical information to every healthcare provider you visit.

#### **Who records information in a tracking record?**

Only your healthcare provider(s) record information in a tracking record. You or your family shouldn't write in this form.

#### **Where should advance care planning documents be kept?**

Share your personal directive with your healthcare provider so they have record of it on file. You can also register your personal directive with the Government of Alberta (GoA) through a **personal directive registry form**. The registry form can be submitted by email, mail, online, or fax.

Once your personal directive is in the personal directive registry, physicians can check if you have a personal directive (the registry does not keep a copy of your personal directive) and access information on how to contact your agent.

If your doctor or nurse practitioner writes a goals of care designation order it comes with a plastic folder called a **green sleeve**. All your advance care planning documents (your personal directive, GCD order, and tracking record) should be kept together in that folder.

The green sleeve provides easy and immediate access for you, your family and your medical team to printed copies of your advance care planning documents. Don't assume your



healthcare provider already knows your instructions or has access to all these documents electronically.

Your green sleeve should always be kept on or near your refrigerator, as that is where healthcare providers are trained to look for it in an emergency. Take it with you when you go to any medical appointments and make sure that it comes home with you.

## Supported Decision-Making

### What is supported decision-making?

**Supported decision-making** is the process of selecting someone to help make personal decisions. This is done through a document called a supported decision-making authorization.

### Who needs supported decision-making?

Supported decision-making allows you (an adult who has capacity) to select up to three individuals (**supporters**) to help you make and communicate personal, but not financial decisions.

This process could help you if you:

- are facing difficult decisions and would like help in the decision-making process (e.g., selecting appropriate treatments, facilities, and/or medications).
- are having difficulties communicating in English.
- have other communication difficulties.
- have mild disabilities.
- need help for a short time due to a temporary condition.

### What can a supporter do?

A supporter has legal authority to:

- access your personal information needed to make decisions.
- help you make and communicate decisions.

### Who can I choose to be my supporter?

A supporter must be 18 years of age or older. Identify someone you trust to be your supporter(s); this may be a relative, friend or advisor. They cannot be your guardian or trustee. Discuss your wishes which includes your values, beliefs, and goals with them, as well as any specific decisions that you may want help making.

### How is a supported decision-making authorization created?

Visit the [supported decision-making page](#) on Alberta.ca to fill out the authorization form. A supported decision-making authorization is not registered anywhere, so the supported adult and the supporter should both have a copy.



# Organ and Tissue Donation

## What are organ and tissue donation?

Organ donation is when a person's organs (e.g. heart, lungs, kidneys) are removed and transplanted into another person. Tissue donation is when other parts of the body (e.g. bone, skin, eye components) are removed and transplanted into another person. There is no cost to donate organs and tissues.

Whether you wish to be an organ and tissue donor when you die is an important decision. There is no right or wrong answer; it is based on your own beliefs and values.

Your health and any illness may impact what type of organs or tissue you are eligible to donate. You can also consider donating organs and tissues for scientific research or donating your body to science.

## Why is this important?

Organ and tissue donation can save or improve the lives of people in need of a transplant and can also have important research benefits. It can also be a way for individuals to leave a legacy.

## How do I set this up?

You can register online at the [Alberta Organ and Tissue Donation Registry](#), which provides Albertans with a simple method to communicate to healthcare teams and those closest to them through a record of their consent to donate. If you want to be a donor, let the people closest to you and your doctor know. You can also include your decision to donate when you make your personal directive.



# Financial Planning



## How Hakim Has Planned Ahead

Hakim is a few years away from retirement. In preparation for this big change, he is reflecting on what matters most to him in life. He is reviewing his **enduring power of attorney** in which he has appointed his son, Malik, as his **attorney** to make financial decisions if he becomes too sick or injured to make his own decisions. Hakim has also booked an appointment with his financial advisor to make sure he is still on track for his retirement. He wants to be financially stable but also fulfill his lifelong dream of travelling around Europe with his wife.

It is important for Albertans to plan ahead for their financial future, as Hakim has done. An important step in this process is creating a legal document called an enduring power of attorney .



# Enduring Power of Attorney

## What is an enduring power of attorney?

An **enduring power of attorney** is a legal document that outlines your financial instructions and who will make financial decisions for you (your **attorney**). It is written when you have capacity, and it can come into effect either:

- in the future if you lose capacity (e.g., illness that prevents you from making your own decisions).
- immediately and continuously if you lose capacity (e.g., you need help managing your financial matters now and but also if you are ill and unable to make your own decisions).

## Who should have an enduring power of attorney?

Every adult 18 years and older should have one.

## Who can I choose to be my attorney?

Your attorney does not have to be a **lawyer**. It should be someone 18 years or older who you trust to protect and manage your assets and pay your bills on your behalf. This can be a trusted family member, friend or advisor.

You can name one or more people to be your attorney. If you name more than one person, you can state whether they must act together (jointly) or may act separately. It is also a good idea to specify how you want them to exercise their authority, make decisions and communicate with each other.

## How do I set this up?

There are no regulated forms for creating an enduring power of attorney on your own. It is best to work with a lawyer to make sure your financial interests are protected, and your enduring power of attorney is legal, especially if your assets and/or situation is complex. You must have capacity at the time you sign your enduring power of attorney document.

An enduring power of attorney will stay in effect until you change it, cancel it, or die. It can be changed at any time as long as you have capacity. When you die, the authority for decision-making concerning your estate then shifts to the **personal representative** you have named in your **will**.

Keep your original enduring power of attorney in a safe place, tell the person named as your Attorney that you have made an enduring power of attorney and let them know where it is kept or give them a copy. Review your enduring power of attorney every few years or whenever your life changes (e.g., change in health, becoming a parent).



## Why is it important?

If you do not have an enduring power of attorney and you lose the capacity to manage your finances, someone will have to apply to the court to be appointed to deal with your finances and property. This takes time and resources, and you will not have a say in who will be appointed. No one, not even your spouse or adult child, has the legal power to manage your financial matters without an enduring power of attorney or court order.

## Preventing Elder Abuse

An important part of planning ahead is talking about your personal information and selecting individuals to help you manage your personal and financial matters. This could potentially put you in a vulnerable position, especially if you are a senior. Unfortunately, in some cases people manage to gain enough of a person's trust to be named a decision-maker only to then abuse their authority for personal gain. If this happens to a senior, it is a form of elder abuse.

**Elder abuse** is any intentional or reckless act or willful and negligent disregard, occurring within a relationship of family, trust or dependency, directed at someone 65 years of age or older that:

- Causes physical harm;
- Causes emotional or psychological harm;
- Involves the misappropriation or misuse of money or other personal possessions or personal or real property;
- Subjects an individual to non-consensual sexual contact, activity or behaviour; or
- Fails to provide the necessities of life.

Any senior can become a victim of elder abuse regardless of gender, sexual identity, race, ethnicity, income or education.

Consider the following to help protect yourself against elder abuse:

- When choosing an agent, attorney or personal representative: have you known this person long enough or well enough to feel that you can trust them with your personal matters?
- People who have trouble handling their own money, lack steady employment or have addictions or gambling problems may not be a good choice for an agent, attorney or personal representative.
- Include instructions in your enduring power of attorney that require the attorney(s) to provide regular financial updates to other trusted people.
- Specify in power of attorney documents that in the event of a dispute, monies can be used for mediation services.



# Estate Planning



## How Alice Has Planned Ahead

Alice is 30 years old. Her aunt, Helen, died without a **will** or known funeral wishes, which left her family in a difficult situation, unable to make complex decisions. This prompted Alice to think about how to prepare for her own death. She had conversations with her family and reflected on what she wants to happen to the things she owns and her body after she dies.

She learned about wills in Alberta and wrote one outlining how she wants her savings to be distributed, who should get her house and property and who should take care of her cat once she dies. She named her sister as her **personal representative** in her will to carry out these wishes. Alice also attended some local events in her community that helped her think about **funeral planning**. Although it felt overwhelming at times, planning for the unexpected gave Alice a sense of security and comfort.

As in Alice's case, planning for the unexpected is best done earlier rather than later. An important part of planning ahead is preparing your will and funeral planning.



# Wills

## What is a will?

A **will** is a legal document outlining how you would like your property, possessions, and money to be given out after you die. It also allows you to name a guardian for any children who are minors and who will take care of your pet(s) when you die.

Your will allows you to name the person (your **personal representative** or **executor**) who will represent your **estate** after your death and carry out your will.

## Who should have a will?

Every adult 18 years and older needs one.

## Who can I choose to be my personal representative?

A personal representative should be 18 years or older and willing to take on the responsibilities and duties of the role. Select someone who is trustworthy, responsible, and organized. It is important to note that personal representatives have legal obligations and must follow the instructions in your will.

## How do I create a will?

There are two types of Wills:

- A **formal will** is a written document signed in the presence of two witnesses. To be a witness, you cannot benefit from the will you are signing.
- A **holograph will** is a document prepared by you in your own handwriting and signed in your own handwriting. You do not need witnesses for a holographic will for it to be valid.

Adults can complete a formal will by using a lawyer's services, legal will kits or online will services. Online will services or will kits may not deal with complex issues such as taxes, trusts, charitable giving, personal representative compensation, beneficiaries with special needs, second marriages, stepchildren or adopted children. As a result, the best approach is to obtain professional help in preparing a will that is tailored to your situation.

Keep your original will in a safe place, tell the person named as your personal representative that you have made a will and let them know where it is kept or give them a copy. Review your will every few years or whenever your life changes (e.g., marriage, the birth of a child, divorce, death of a family member).

## Why is it important to have a will?

In Alberta, without a **will**, you cannot choose who gets your property and possessions (your **beneficiaries**) and who will carry out your wishes. Instead, your estate will be distributed according to laws in Alberta which may not align with your wishes or the needs of the people that matter most to you.



# Funeral Planning

## What is involved in funeral planning?

**Funeral planning** is the process of deciding what you want done with your body after you die and the type of service you want held to honor and remember you.

Funeral preparations can be influenced by personal values and beliefs as well as cultural and religious practices. For example, many cultures have specific customs around the body, mourning periods, funeral attire and use of specific flowers and decorations.

## Why is it important to start funeral planning?

Planning your funeral ahead of time can provide you with peace of mind knowing that your wishes will be carried out as you want. Planning it ahead of time also prevents unnecessary financial costs and makes decision-making easier for the people that matter most to you.

## Next Steps

Take action to prepare or review your **personal directive, enduring power of attorney, and will**. Planning ahead is a process of ongoing reflection, conversation, and preparation. It is not a one-time activity. It is important to review and update personal documents as circumstances change, or as your values and wishes evolve. There are many free resources to support any of the steps in preparing documents and plans. Refer to [this site](#) for sources of information and help.



# Glossary

## **Advance Care Planning:**

Thinking about, talking about, and documenting the health and personal care you want to receive now and in the future.

## **Agent:**

The person named in your personal directive to make health and personal decisions for you if you become unable to make your own decisions.

## **Alberta Organ and Tissue Donation Registry:**

A government-operated registry that provides Albertans a way to record and communicate their wishes about organ and tissue donation to healthcare teams and those closest to them.

## **Attorney:**

The person named in your enduring power of attorney document to deal with your financial matters.

## **Beneficiaries:**

People or organization(s) who are named in a will that will receive assets or property after a person dies.

## **Capacity:**

A person's ability to make decisions for themselves. It involves having the necessary mental, physical and emotional abilities to understand the information related to a decision, evaluate the options and communicate a choice.

## **Elder abuse:**

Any intentional or reckless act or willful and negligent disregard, occurring within a relationship of family, trust or dependency, directed at someone 65 years of age or older that causes physical, emotional or psychological harm; involves the misappropriation or misuse of money or other personal possessions or personal or real property; subjects an individual to non-consensual sexual contact, activity or behaviour; or fails to provide the necessities of life.

## **Enduring Power of Attorney:**

A legal document that outlines your financial instructions and who will make financial decisions for you.

## **Estate:**

The property a person owns at the time of their death, including land, possessions, investments and money. It includes all assets and debts that a person has left behind.

## **Funeral planning:**

The process of deciding what you want done with your body after you die and the type of service you want held to honour and remember you.

## **Goals of Care Designation order:**

A medical order written by your doctor or nurse practitioner that provides instructions to your health care team about how you wish to be cared for if you are unable to tell them yourself.



**Green Sleeve:**

A green plastic folder that holds advance care planning forms (personal directive, goals of care designation, tracking record).

**Lawyer:**

A professional who is trained in law and licensed to help you prepare the three key planning documents: personal directive; enduring power of attorney; and will. Lawyers can also provide legal advice and representation for other matters beyond future planning.

**Personal Directive:**

A legal document that outlines your health and personal care instructions and who will make decisions for you if you become too sick or injured to make your own decisions.

**Personal representative:**

The person named in your will who is responsible for the administration of your estate, which includes locating assets, paying debts and funeral costs, and distributing estate property to beneficiaries. Also known as an executor or administrator.

**Supported adult:**

An adult who has capacity but wants or needs help making personal decisions.

**Supported Decision-Making:**

A process that authorizes a selected person or persons (up to 3) to help a capable adult make personal but not financial decisions.

**Supporter:**

Individual or individuals selected in a supported decision-making authorization form to help the supported adult make personal decisions (not financial decisions).

**Tracking Record:**

A form your healthcare team uses to track conversations and decisions about your advance care planning and goals of care designation.

**Will:**

A legal document that outlines how you would like your property and possessions to be distributed after your death.

