

AHD and EPOA Documents – What has changed?

New versions of the Advance Health Directive (AHD) and Enduring Power of Attorney (EPOA) forms have been published by the Department of Justice and Attorney General (DJAG). These forms and accompanying explanatory guides have been approved for use from **30 November 2020**—to coincide with related changes to Queensland legislation which commence on the same day.

Clinicians are encouraged to review and familiarise themselves with the new AHD/EPOA forms and accompanying explanatory guidelines. To support awareness of the new enduring documents and key changes, the following frequently asked questions (FAQs) table has been developed.

FAQ	
Where can I access the new forms/explanatory guides?	<ul style="list-style-type: none"> Clinicians and patients can access the new forms/explanatory guides here (https://www.publications.qld.gov.au/dataset/power-of-attorney-and-advance-health-directive-forms) DJAG has published a fact sheet concerning the new forms, available here (https://www.publications.qld.gov.au/dataset/power-of-attorney-and-advance-health-directive-forms/resource/af9f5c3d-e048-4421-978a-88724c1ef68b)
When did the new forms come into effect?	<ul style="list-style-type: none"> The new AHD/EPOA forms came into effect from 30 November 2020.
Is an AHD/EPOA made prior to 30 November 2020 still valid?	<ul style="list-style-type: none"> If an AHD or EPOA was made correctly before 30 November 2020, it will continue to be valid after this date. Any AHD or EPOA completed on or after this date will need to be in the new approved form. There are special circumstances which may affect the appointment of certain attorneys in previous AHD or EPOA forms – please see the DJAG resources (hyperlinked above) for more details.
What are the key changes in the AHD?	<p>There are 3 new sections in the AHD.</p> <ul style="list-style-type: none"> Section 2: Your health conditions and concerns This section is optional to complete. It allows people to record major health conditions and concerns. Section 3: Your views, wishes and preferences This is a new values-based section in the AHD to let attorney(s) and other people know about a person's views, wishes and preferences. <i>This section does not provide directions</i> and is optional to complete. Section 4: Your Directions This is the section in the AHD where <i>legally-binding directions</i> about future health care can be made. This section is now divided into three parts: <ul style="list-style-type: none"> Directions about life-sustaining treatment <ul style="list-style-type: none"> There are four options in this section. Only one option can be chosen. Option 4 requires completion of the table underneath the tick box. Directions about other health care Directions about blood transfusions.

FAQ	
Have any sections from the current AHD been removed?	<p>Yes, the new AHD no longer includes specific sections to record:</p> <ul style="list-style-type: none"> • Organ and tissue donation wishes • Information about previously completed EPOA forms • The principal's 'review' of the AHD document.
Has the Doctor Certificate in the AHD changed?	No - as with the current form, the Doctor's Certificate remains at Section 5 and requires the doctor's details, signature and date.
What are the key changes in the EPOA?	<p>There is one new section in the EPOA.</p> <ul style="list-style-type: none"> • Section 2: Your views, wishes and preferences This new values-based section in the EPOA lets attorney(s) and other people know about a person's views, wishes and preferences. This section does not provide directions to the attorney and is optional to complete.
Can additional pages be added to the AHD/EPOA?	<ul style="list-style-type: none"> • From 30 November 2020, where extra pages are required, a Form 8—Additional page, can be used to attach additional pages to an AHD or EPOA. (https://www.publications.qld.gov.au/dataset/power-of-attorney-and-advance-health-directive-forms/resource/afe8e7ef-c768-4403-8743-a397dfb9b111) • Additional pages can only be added at the time of completing the AHD/EPOA—not afterwards. The witness signs and dates all additional pages at the time when the document is witnessed. • Any Form 8, if used, must accompany the document at all times.
Does the new AHD replace the Statement of Choices?	<ul style="list-style-type: none"> • No, the new AHD does not replace the Statement of Choices. • The AHD (v5) contains a new values-based section to let attorney(s) and other people know about a person's views, wishes and preferences. This section does not provide directions and is optional to complete. • The choice of document(s) will depend on the persons individual preference and situation. Each of the forms complement each other. • An adult who has capacity can make an AHD, EPOA and/or Statement of Choices Form A. • Where an adult is without capacity or requiring supported decision-making, their substitute decision-maker can complete a Statement of Choices Form B on their behalf.

Where can I find more information?

- Changes to guardianship laws and forms—visit www.qld.gov.au/guardianship-reform
- Capacity assessment guidelines—visit <https://www.publications.qld.gov.au/dataset/capacity-assessment-guidelines>
- DJAG FAQs - which version to use—visit <https://www.publications.qld.gov.au/dataset/power-of-attorney-and-advance-health-directive-forms/resource/af9f5c3d-e048-4421-978a-88724c1ef68b>
- Advance health directive explanatory Guide—visit <https://www.publications.qld.gov.au/dataset/power-of-attorney-and-advance-health-directive-forms/resource/e904421c-b1e7-4f43-a918-474ae8c496fa>
- Enduring power of attorney explanatory Guide—visit <https://www.publications.qld.gov.au/dataset/power-of-attorney-and-advance-health-directive-forms/resource/17942707-4c02-4c98-af31-48b8ebcb957e>

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