



Next-of-kin

Information for patients at Fiona Stanley Hospital Emergency Department

When you come to the Emergency Department for medical treatment you will be asked about your next-of-kin.

This information explains:

- what next-of-kin means
- why the hospital asks for details of your next-of-kin
- what being someone's next-of-kin involves.

What next-of-kin means

Your next-of-kin is someone in a close personal relationship with you who has a personal interest in your welfare. In Australia, it generally means a 'person responsible' for you, or a 'substitute decision maker' in case decisions need to be made on your behalf.

Your next-of-kin will be someone from this list in the order of priority below:

- your spouse or de-facto partner
- your adult son or daughter
- one of your parents
- one of your siblings
- your primary unpaid caregiver
- a person who has a close personal relationship with you.

Your next-of-kin must be:

- aged 18 years or older
- of full legal capacity (able to act on your behalf)
- available to be contacted
- willing to be involved in any treatment decisions if needed.

Why we need to know your next-of-kin

We need to know who is important to you in case we need to urgently contact someone about your treatment.

We will ask for this information every time you attend the Emergency Department to be sure that your details are current and correct.

If you do not name a next-of-kin

If you have not named a next-of-kin and become unable to express your wishes about your treatment, then treatment may be delayed until a next-of-kin can be identified and gives consent, or a guardian is appointed.

If the situation is urgent and you are unable to make your own decisions, medical staff will not delay care but will make the treatment decisions they believe are in your best interest.

What your next-of-kin may have to do

Possibly nothing, but with your permission medical staff will keep your next-of-kin informed about your condition and treatment plan.

If you become unable to make or express your decisions yourself because of your medical condition, medical staff may need to consult your next-of-kin to act on your behalf and provide advice about treatment.

For this reason, you should talk to the person you have named as next-of-kin about your views and wishes about treatment.

Your next-of-kin should also be willing and able to let your family and friends know of your condition, if this is what you want. The Emergency Department will only update your next-of-kin about your condition, not other friends or family members. Whenever possible, you should tell the person you have nominated as next-of-kin who they may share your information with.

What if my next-of-kin does not agree with my treatment wishes?

As long as you are able to make your own decisions, medical staff in the Emergency Department will always respect and abide by your own wishes about treatment.

Do I have to name a next-of-kin?

No. If there is no one you wish to name as next-of-kin, only you will be involved in decisions about your care. However, we recommend that you name a person as next-of-kin just in case you become unable to make decisions about your care (if, for example, you become unconscious). If this happens, it will be important for medical staff to discuss your treatment options with your next-of-kin.

Can my next-of-kin visit me in the Emergency Department?

Yes, if you and the medical staff who are looking after you agree. If your medical condition requires urgent or specialist treatment, staff may decide that it would not be suitable for you to have visitors at that time.

Other visitors in the Emergency Department

We understand the support of family members and friends can make a big difference to your wellbeing and recovery.

The top priority for medical staff is to provide the best medical care for patients, and to respect every patient's wishes in doing this. For these reasons, you may not be able to see your family member or friend until medical staff have decided it is appropriate.

There may be situations when you or your medical staff prefer to restrict visitors. The Emergency Department does have some restrictions on visitors to the department.

About Advance Care Planning

Advance Care Planning involves discussing your future healthcare plans with your loved ones and the professionals responsible for your healthcare. It involves finding out about different healthcare options and choosing what will be best for you, so that there are agreed plans in case you become unable to make your own decisions about treatment.

There are a number of ways you can record your wishes, including an:

- **Enduring Power of Attorney (EPA)**, a legal agreement that enables you to appoint a trusted person, or people, to make financial and/or property decisions on your behalf, in case you ever become unable to make such decisions yourself. An EPA only relates to financial matters.
- **Enduring Power of Guardianship (EPG)**, a legal document that authorises a person of your choice to make important personal, lifestyle and treatment decisions on your behalf, in case you ever become unable to make such decisions yourself. An EPG only relates to personal matters.

More information about next-of-kin and decision making

Additional information is also available at:

WA State Administrative Tribunal. Guardianship and Administration resource sheet '*Next-of-kin*' *Decision Making*. ecourts.justice.wa.gov.au

WA Department of Justice Office of the Public Advocate. *Making Treatment Decisions*. www.publicadvocate.wa.gov.au

WA Department of Health
www.health.wa.gov.au
www.healthywa.wa.gov.au

- *Consent to Treatment Policy*
- *Patient Confidentiality Policy*
- *Advance Care Planning*.

Fiona Stanley Hospital Patient Information Guide. Available in the hospital or at www.fionastanley.health.wa.gov.au
