Before providing emergency health care, the physician, when practical, shall obtain a written opinion from a second physician, nurse practitioner or registered nurse that the situation meets the above criteria for providing emergency health care.

**Criteria:**

Health care is required to
- Preserve the adult's life or
- Prevent serious physical or mental harm to the adult; or
- Alleviate severe pain

And
- Physician is satisfied adult lacks capacity to consent/refuse tx

And
- Physician has no reason to believe the adult expressed a wish/instruction to the contrary when previously capable.

Before providing emergency health care, the physician, when practical, shall obtain a written opinion from a second physician, nurse practitioner or registered nurse that the situation meets the above criteria for providing emergency health care.

If second practitioner disagrees, do not provide emergency health care.

If second practitioner is unavailable or agrees, provide emergency health care.

After reviewing the above criteria, document process & decisions. Follow the direction of the senior health care lead.

*This algorithm is intended to be a guide and is not to replace the content of the AHS policy Consent to Treatment/Procedure(s) and its five related procedures or legal advice. Examples herein are for illustrative purposes only; the application of the AHS policy/procedure and legislation may vary depending on circumstances unique to each situation. Readers are encouraged to view the policy/procedure documents and legislation directly and should consult with Clinical Policy (clinicalpolicy@albertahealthservices.ca) if in need of clarification.

**Adults who Lack Capacity - Emergency Health Care**

**Determination of what constitutes an emergency health care situation is at the discretion of the clinician.**

**Resources**

- **AHS Legal**: 1-888-943-0904
- **Clinical Ethics** (regular business hours only): 403-943-2821
- **OPG**: The Office of the Public Guardian may be contacted (24/7).
  - Toll Free Help Line: 1-877-427-4525 Monday-Friday
  - After Hours Crisis Line: 1-866-262-9731

If you require a language interpreter, you can contact a Certified Health Care Interpreter at: 1-866-674-3972. Note: you must be registered to use this funded service. You can register during regular business hours by calling 403-955-1181.