

# Mandate & Mission Statement



## Consent and Capacity Board

### MISSION STATEMENT

To provide fair, timely, effective and respectful hearings that balance legal and medical considerations while protecting individual rights and ensuring the safety of the community.

### MANDATE

The Consent and Capacity Board is an independent Board with a mandate to adjudicate on matters of capacity, consent, civil committal, substitute decision-making, disclosure of personal health information and mandatory blood testing.

The Board is created under the *Health Care Consent Act* and receives its jurisdiction from that Act. It adjudicates under the *Health Care Consent Act*, the *Mental Health Act*, the *Substitute Decisions Act*, the *Personal Health Information Protection Act*, the *Child, Youth and Family Services Act* and the *Mandatory Blood Testing Act*.

The Board is responsible for holding hearings and for making decisions on matters in which the least restrictive, least onerous and least intrusive decisions are made to:

- maintain the safety of the individual
- protect the safety of the community
- maintain the dignity and autonomy of the individual
- preserve the right of a person to have treatment when required.

The *Health Care Consent Act* sets out legislated performance measures for the Board:

1. The Board shall promptly set a time and place for the hearing.
2. The hearing shall begin within seven days after the day the Board receives the application unless all parties agree to a postponement.
3. The Board shall render its decision and provide a copy of the decision to each party, or the person who represented the party, within one day after the day the hearing ends.

4. The Board shall advise all parties of the right to request reasons for the Board's decision and, if within 30 days after the day the hearing ends, the Board receives a request from any of the parties for reasons for its decision, the Board shall, within four business days after the day the request is received, issue written reasons for its decision; and provide a copy of the reasons to each person who received a copy of the decision.
5. Where a decision of the Board is appealed, the Board shall promptly serve the parties and the Court with the record of proceedings before the Board, including a transcript.