

What rights do I have while under Emergency Assistance?

You have **all** of these rights:

- The right to know why we think the situation is harmful to you.
- The right to know why we are using Emergency Assistance.
- The right to know how we will help you.
- The right to know where you are or where you are going.
- The right to ask questions.
- The right to express your wishes and concerns.
- The right to contact a lawyer at any time and the right to use a telephone to contact the lawyer.
- The right to ask a judge to review our use of Emergency Assistance, our actions during this time, and any court orders made about you under the Act.

Who can help me?

You are welcome to contact a lawyer and get legal advice about your rights. The lawyer can act on your behalf in court. You might have to pay for this service.

Legal services:

- Access Pro Bono
☎ 1-800-663-1919
📧 accessprobono.ca
- Community Legal Assistance Society
☎ 1-888-685-6222
📧 clasbc.net
- Legal Aid BC
☎ 604-408-2172
📧 legalaid.bc.ca
- Seniors First BC
☎ 1-888-685-6222
📧 seniorsfirstbc.ca

What if I have concerns about my care?

You have a right to express your concerns. Talk to your care team or the manager.

If you are not comfortable talking with the team or manager, or you are not happy with how we handle your concern, contact our Patient Care Quality Office.

☎ 1-877-880-8823
📧 pcqoffice@fraserhealth.ca

www.fraserhealth.ca

This information does not replace the advice given to you by your healthcare provider.

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Understanding Your Rights

Understanding
“Emergency Assistance”
under the
Adult Guardianship Act
Part 3, Section 59



What is Part 3 of the Adult Guardianship Act?

Part 3 protects adults over 19 years old who appear to be abused, neglected, or neglecting themselves and appear to not able to get help on their own.

You might not be able to get help because of any of these situations:

- Someone or something is restraining you in some way.
- You have a disability that does not allow you to get help on your own.
- You have an illness, disease, or another condition that limits your ability to decide and act.

This part of the Act tells us when and how we can step in to help you. It tells us what we must do when we are aware of or suspect harm is happening. We work with you to give the kind of support you want and need.



What is “Emergency Assistance”?

In certain situations, Section 59 Emergency Assistance allows us to take urgent action on your behalf without you agreeing to it.

We use Emergency Assistance only when **all of the following are true**:

- You appear to be abused, neglected, or neglecting yourself.
- You appear to not be able to give or refuse consent.
- There is a risk to your life, or a risk of serious physical or emotional harm, or a risk of loss or damage of your property.

What can happen?

A health professional with special training on the Act responds in these situations, such as a Social Worker or Nurse.

The Act allows us to do any of these things without you agreeing to it:

- Go into your home without a court order or warrant.
- Take you out of your home and make sure you are in a safe place.
- Take you to the hospital for urgent medical care.
- Inform the Public Guardian and Trustee office of the risk and need to protect your finances.
- Take any other emergency steps to protect you from harm.



How long can the Emergency Assistance last?

The Act does not give a timeline. We use it for up to 5 days at a time. We review the need often.

It is always temporary. We use it only until we can sort out what is causing the harm and if you need our help to get the care and support you need.

What kinds of support can I expect under Emergency Assistance?

We work with you to make a plan for care and support in the community.

You might have medical care in the hospital and need to stay in the hospital until there is a plan in place.

We might help you go to a safe place such as the home of a family member or friend.

We might speak to your bank so they can protect your money and other assets.

We might ask the court for orders to help you if you are not capable of deciding about the plan, or for restraining orders to prevent others from harming you.