CHAMP: Bedside Teaching

ASSESSING DECISION MAKING CAPACITY

Caroline Harada, MD

Teaching Trigger:

A patient with dementia refuses surgical debridement of a sacral ulcer.

Clinical question:

How do you determine whether a person has decision making capacity (DMC)?

Teaching points:

1. Competence is a legal term, generally referring to a global inability to make personal decisions; it is determined by a judge. Capacity, on the other hand, is assessed by clinicians.
2. Having dementia does not mean a patient lacks capacity to make all decisions.
3. Assessing DMC requires having a conversation with the patient.
4. Information that must be provided to the patient during this conversation includes:
   a. Medical condition and prognosis
   b. Recommended interventions and alternatives (including no intervention)
   c. Risks and benefits of the options
   d. Consequences of decision
5. DMC is decision-specific, so a person can have capacity for “low stakes” decisions when, at the same time, they lack capacity for “high stakes” decisions.
6. Give the patient every advantage when assessing DMC (to maximize patient autonomy):
   a. If they don’t get it, correct or explain, then ask the patient to rephrase
   b. Optimize the circumstances
   c. Reduce stressors, distractions
   d. Treat delirium, depression, pain
   e. Optimize time of day
7. Appelbaum and Grisso have created formal standards for decision making capacity (if patients meet these standards, they are likely to have DMC):
   a. Ability to communicate a choice
      Unimpaired level of consciousness, willingness to express a choice, reasonable stability of choice
   b. Ability to understand (and retain) relevant information
Patient can recapitulate: current condition, plans being discussed, potential consequences of the various options

c. Ability to appreciate the situation and consequences of a decision for oneself
   Patient acknowledges illness (when present) & general probabilities of risks and benefits as they apply to him or herself

d. Ability to manipulate information rationally
   Patient reaches conclusions that are logically consistent with the starting premises