



Nova Scotia  
**Health Ethics**  
Network

# Framing the Discussion

Easier Said Than Done: Assessing Capacity for  
Informed Choice



## Case - Actors

- **Jeanne Francis – A 72 year old woman living independently in the community who is in the ED for the second time this month due to falls. This time she has been diagnosed with a broken rib.**
- **Helene Pictou – Jeanne’s youngest daughter, who provides support for Jeanne while also running a farm with her partner and raising two children. Helene has done most of the talking this visit.**
- **Rita George – A NP in the ED who has been working with Jeanne and Helene during this admission**

## Case

- **Rita is preparing to discharge Jeanne, but Helene pulls her aside and says that she doesn't feel that Jeanne is safe at home and that she doesn't think that Jeanne can make decisions for herself anymore.**
- **Rita replies that Jeanne seems a bit confused in the ED, but that that's a common reaction to the situation.**

## Case

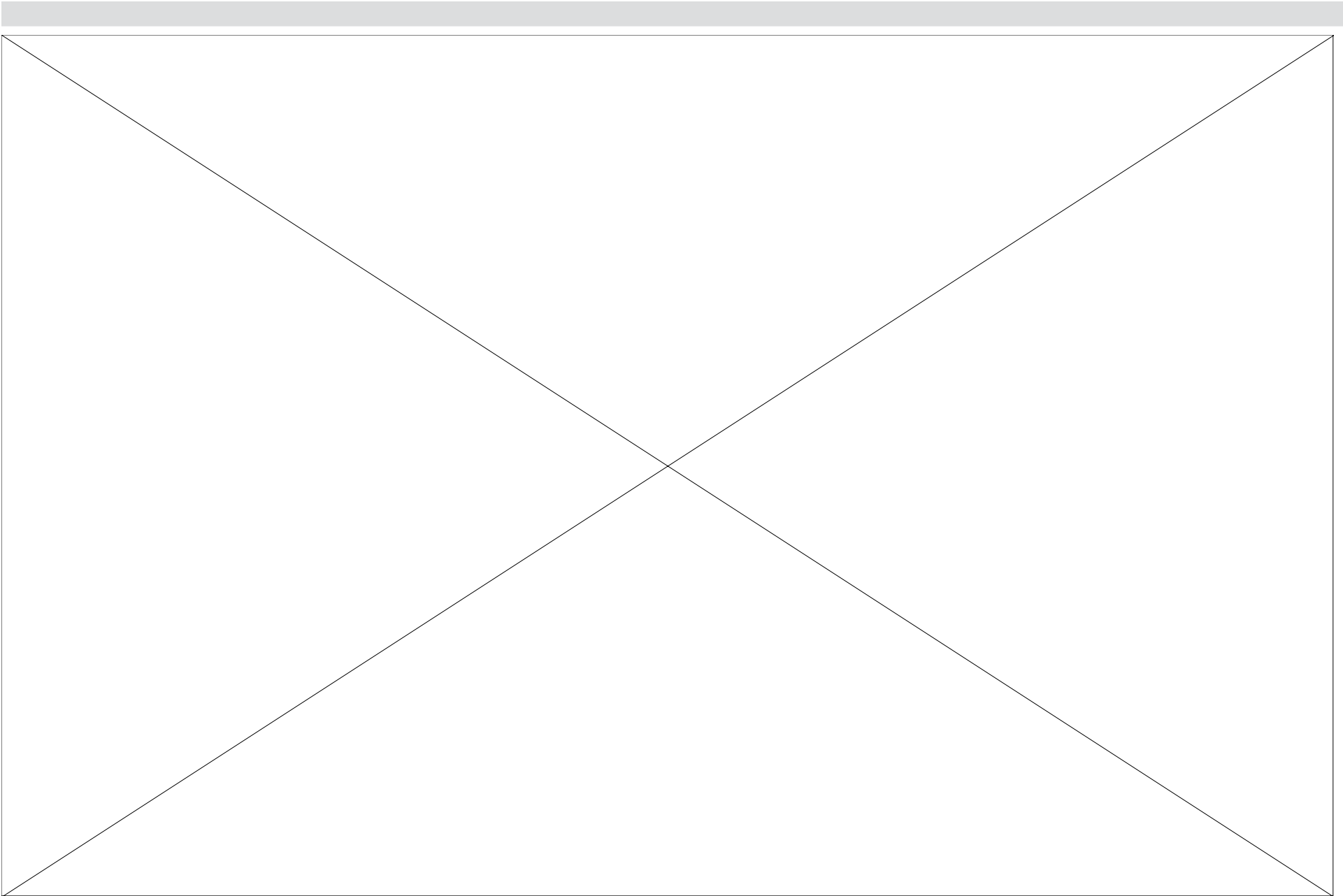
- **Helene says that Jeanne sometimes seems okay, especially during medical appointments, but that she's been making mistakes with money lately, using \$50 bills instead of \$5 bills, and seems more frequently confused and frustrated by things like the remote for her TV.**
- **Helene reports that the family thinks it's time to look at continuing care, but Jeanne won't talk about it.**

## Case – The Request

- **Helene asks Rita to keep Jeanne in hospital and to do a capacity assessment so that they can put Jeanne on the wait list for continuing care placement.**

# Poll

- **What will contribute most to making this case difficult?**
  - A. Family dynamics
  - B. Not knowing whose interests are behind the request
  - C. Managing relationships with everyone
  - D. Uncertainty about Helene as the decision maker
  - E. Uncertainty about using collateral information
- **Other: Text 902.221.5243**



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# Common Refrains

- **Capacity is presumed**
- **Capacity is decision-specific**
- **Capacity is domain-specific**
- **Capacity is not determined by diagnosis**
- **Capacity is not determined by age**
- **Capacity is about process, not content**
- **Capacity is about cognition, not function**
- **Capacity is not determined by test score**



# Key Terms

- **Capacity**
- **Competence**
- **Understanding**
- **Appreciation**

# Key Values

- **Respect for autonomy**
- **Beneficence or best interests**
- **Relationships**

# Decision Making

- **Informed choice**
- **Supported decision making**
- **Substitute decision making**

# Capacity

- **Gerontology**
- **Adolescents**
- **Mental Health and Addictions**
- **Law**
- **Research**
- **Disagreement**