





Compassion, not Control
Supporting Decision Making in Older Adults

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DISCLOSURE


The content of this presentation does not relate to any product of a commercial interest.

There are no relevant financial relationships to disclose.

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Goals

- Enhance practice
- Use self-knowledge in service of others
- Offer tools



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Objectives

- Distinguish capacity from competency
- Describe approach for examining limits on self-determination
- Discuss least restrictive alternatives from ethical perspective
- Discuss supported decision-making

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Caveats and Critical Concepts

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A person with **DEMENTIA**

A **PERSON** with dementia

A **PERSON**



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WHO a person is
What a person CAN STILL DO

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How do you know
what you know?

9

When head and heart disagree Leave it to the bones?
Check your gut?



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Risk Tolerance Slow lane | Fast lane
Game show winnings (Jeopardy)

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A one minute paired conversation
Introduce yourselves

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**Independence, Autonomy,
Self-Efficacy**

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Independence
Remaining independent =
staying in one's own home

- Accepting help at hand
- Doing things alone
- Having family, friends, and
money as resources
- Preserving physical and
mental capacities
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**Fear of
Dependency**

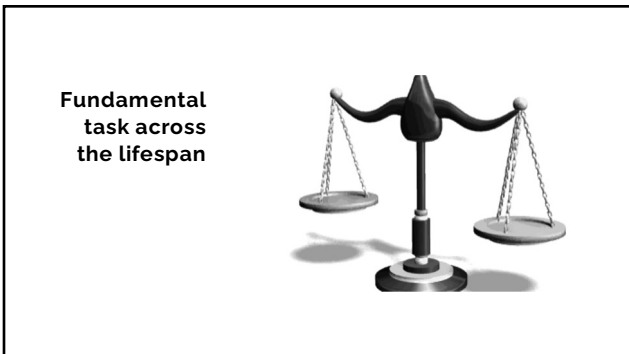
- > Fear of death
- > Fear of illness
-

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On being dependent

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Fundamental task across the lifespan

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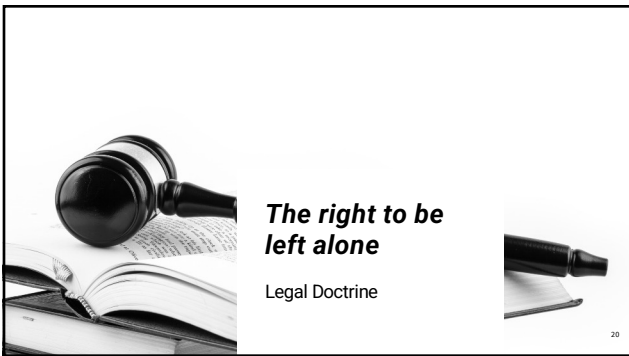
Significant frailty and cognitive decline create greater reliance on others.

This need not threaten autonomy or sense of well-being

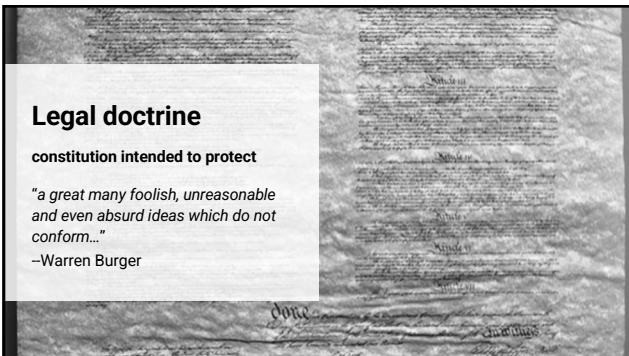
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Autonomy

- To choose
- To self-determination
- To be responsible
 - Dignity of risk
- To fail
- To privacy

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Self-determination

Better health
 Greater well-being
 It's the law!

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Self-efficacy

Belief in one's ability to
 succeed in reaching
 favorable outcome

Not the ability itself

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Self-efficacy

“I can do this”

“What I do makes a difference”

“I’m in charge” of my destiny



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Fears

- Fear of loss of autonomy
- Fear of becoming a burden
- Fear of dependency
 - > Fear of death
 - > Fear of illness

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Fear Frustration Filial love	Safety
	Falls
	Protection from exploitation
	Fear of Decline
	Access to medical care
	Access to services
<small>28</small>	

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Common Triggers	Treatment refusal
	Non-adherence
	Abuse, neglect, exploitation
	Lifestyle intolerance
	Hospitalization
<small>29</small>	

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Paired Conversation
Capacity and Competency: What's the difference?


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Competency v. Capacity

Competency	Capacity
a legal concept	a clinical concept
	the ability to "do" something


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Capacity

- Task specific, not global
- Contextual
- Capacity can fluctuate
- Determining capacity in persons with complex impairments can be difficult

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Capacity

- What decision needs to be made?
- What is interfering with decision-making?
- Is capacity likely to change?
- Issues of undue influence?


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Key aspects of decisional capacity

<p>Understanding</p> <ul style="list-style-type: none"> Problem Alternatives Advantages & Disadvantages 	<p>Appreciating</p> <ul style="list-style-type: none"> Personal deficits Potential impact of alternatives 	<p>Reasoning</p> <ul style="list-style-type: none"> Comparative & consequential reasoning 	<p>Expressing a choice</p> <ul style="list-style-type: none"> Choice of how to solve an everyday problem Logical consistency
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Types

<p>Everyday</p> <ul style="list-style-type: none"> Capacity to live alone Managing medications Managing finances Driving capacity 	<p>Testamentary</p> <ul style="list-style-type: none"> Conjugal (spousal) visits Research consent
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Consent to treatment

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Testamentary capacity

Can a person leave his fortune to his cats?

(and win, when the will is contested?)

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Support for at-risk adults

Finding balance
Enhancing self-efficacy



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Think about...

Decision-making and thinking	What a person can do, as well as can not do
Nature and extent of impairments	Self, financial, medical, civic, legal, home and community life
Residual strengths	Will person use adaptive assistance

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SDM

Supported decision-making

Starting point is NOT capacity

Starting point is preference, choice, formal decision-making

Amount and type of support critical

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Supporting Decision-Making with Older Adults

Stop
Reflect

Look
What's in play


Listen
What's at stake

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Alternatives to full guardianship

Least Restrictive	Middle Ground	Most Restrictive
Individual retains full independence and full decision-making power	Individual retains some –but not all– decision making power	Guardian has full decision-making control over all areas of a person's life
No court involvement	Limited court involvement	Requires a court order

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Consider family mediation

- Family dynamics are complicated
- Late life transitions are complicated
- Simmering disputes often emerge into hostile conflict
- Everyone can express needs and feelings, then deal rationally with the problems
- Mediation can achieve positive conflict resolution outside of a courtroom

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In conclusion

Lead with compassion not control Find the balance Try SDM

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**Thanks
Please stay in touch
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