

Assessing Capacity

Nursing

Capacity is decision-specific and time-specific, and is presumed until shown otherwise.

Assume capacity. Support the decision first. Assess only if doubt remains.

1

Presume capacity

An unwise decision is not, by itself, evidence of incapacity.

2

Support the decision

Timing, language, aids, interpreters, a familiar person present.

3

Understand

Can the person take in the relevant information?

4

Retain

Long enough to make the decision, not indefinitely.

5

Weigh and use

Can they use the information to reach a decision?

6

Communicate

By any means at all, including gesture or a device.

Educational reference. Capacity law and best-interests processes vary by country. Follow local legislation, policy and senior guidance.