Understanding Mental Capacity Act 2005

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Article published on January 11th 2012 | Health

Every patient that comes through the door and sees an RN or a doctor must be given the best care that can be provided. However, sometimes that can be difficult if our patients are not able to make the decisions they need to make. The Mental Capacity Act of 2005 was created to help support and protect patients who are unable to make decisions for themselves.

Great care needs to be taken to determine if someone is lacking in mental capacity, or the inability to understand and comprehend the situation they find them self in and the consequences any decision they make will cause. Assessment of their capacity should never be based on their age, appearance, or assumptions about their condition or behavior. Even if they make a decision we don't agree is in their best interests, this does not constitute them lacking mental capacity.

Their mental capacity could be made difficult by a number of causes such as dementia, a stroke, a learning disability, and many others. Now the question is, how can you tell if someone can make decisions for themselves? There are a number of things to look out for. Here are a few:

ï‚§ If the person understands the decisions that need to be made and why to make them

ï‚§ If the person understands the consequences of any decision they make

ï‚§ If the person can understand the information you provide and use that information as part of a decision

ï‚§ If the person can communicate with you in any way such as speech, sign language, or other means

This is where nurses need to take great care. All possibilities need to be explored before making a final decision about the mental capacity of their patient. Another possible problem, is the situation too complex? Do they understand what you are telling them? If not, you should use any means necessary to get them to understand their condition, the consequences, and the actions one could take.

If after all this and it's still determined they cannot make the decision, this is when the families need to get involved. Make sure the families know exactly what is going on, all the decisions that need to be made and how each decision will affect the patient. Also, if possible, make sure they consider the past and present wishes of the patient and even have them encourage them to take part in the decision making process.

As nurses, it's important that you stay diligent and aware during these tough situations. Always remember that you are there to provide them with superb care and are there to support them during a time of uncertainty. The Mental Capacity Act of 2005 may have been created to protect, but we are the front lines making sure our patients know exactly what is happening, making their decision making process, an easy one.

Article Source:
http://www.articleside.com/health-articles/understanding-mental-capacity-act-2005.htm - Article Side

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Article Keywords:
nurses,nursing,registered nurses, compassion, mental health, mental capacity, patient care

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