

Adult:	Investigation No:
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Your details

Name:

Address:

Are you the adult's regular treating medical practitioner? Yes No

In what capacity do you treat the adult? *Please specify below:*

General Practitioner Specialist Practitioner Hospital Medical Officer Registered Nurse

Allied Health (*please specify*): Other (*please specify*):

How long have you been treating the adult? Last consultation date:

Who accompanied the adult on their last consultation?

Adult's decision-making capacity (*please refer to Appendix A regarding definition of capacity*)

Does the adult have a condition which impairs their decision-making capacity? Yes No

➤ *If yes, please state the nature of the adult's impaired capacity below:*

Acquired Brain Injury (ABI) Cerebrovascular Accident (CVA) or stroke Cognitive Impairment

Dementia (*please specify*): Intellectual Disability

Psychiatric Disability (*please specify*): Other (*please specify*):

Do you consider the impaired decision making capacity to be:

Stable Fluctuating Improving Progressive

In your opinion, what do you consider the level of impairment to be?

Mild Moderate Severe Other (*please specify*):

Do you know when the cognitive impairment was first diagnosed or identified? Yes No

➤ *If yes, please provide details:* Date of diagnosis:

Diagnostician Name: Diagnostician Phone No:

Has the adult been referred to a specialist practitioner in relation to the cognitive impairment? Yes No

➤ *If yes, please provide details:* Specialist's Name: Phone No:

Are there reports or assessments etc. relating to the adult's impaired capacity held at your practice? Yes No

➤ *If yes, please provide copies of relevant documents with this report*

Is the adult currently taking medications that may affect their decision-making capacity? Yes No

➤ *If yes, please provide details below:*

Medication	Dosage	Medication	Dosage

Are there any other factors that may impact on the adult's decision-making capacity? Yes No

➤ *If yes, please specify:*

Decisions specific to the OPG investigation (Please refer to [Queensland Capacity Assessment Guidelines](#) and Appendix A for the definition of capacity under the Powers of Attorney Act 1998.)

With regard to the below areas of decision making and a complaint raised with the Public Guardian, to what extent does the adult:

- Have the ability to understand and act on information relevant to making decisions?
- Appreciate the consequences of the decisions or lack of decisions?

Health Care:

Accommodation Choices:

Choices of Services:

Other Personal Matters:

Contact with family/friends:

Financial Matters:

In your opinion, does the adult **currently** have the decision-making capacity to undertake the following:

- | | | |
|--|---|--|
| <input type="checkbox"/> Buy/sell property | <input type="checkbox"/> Gift property (possibly impacting on their Centrelink or Aged Care entitlements) | |
| <input type="checkbox"/> ATM/eftpos transactions | <input type="checkbox"/> Branch transactions | <input type="checkbox"/> Internet transactions |
| <input type="checkbox"/> Budgeting | <input type="checkbox"/> Paying bills | <input type="checkbox"/> Manage investments |

Further comments:

In your opinion, is the adult capable of making decisions freely and voluntarily? Yes No

(i.e. free from any undue influence by the adult's family members, friends or attorneys under an enduring document)

In your opinion, is the adult influenced positively or negatively by any person/s? Yes No

Positively by:

Negatively by:

Enduring Power of Attorney (EPA)

(Please refer to Appendix A regarding what an adult must understand to execute an enduring document)

Do you consider the adult **currently** has the capacity to execute an EPA? Yes No

Do you consider the adult **had** the capacity to execute an EPA on / / ? Yes No Unknown

Summary

In your opinion, please check the boxes to indicate whether the adult **currently** has the capacity to make simple or complex decisions about the following:

Please refer to [Queensland Capacity Assessment Guidelines](#)

	Simple Decisions	Complex Decisions
Health Care	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Accommodation choices	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other personal matters	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Choices about services	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Contact with family/friends	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Financial matters	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Please sign here

Name:

Qualifications:

Signature:

Date:

Send your form to OPG (email is preferred)

Contact Officer:

Email: @publicguardian.qld.gov.au

Phone No:

Fax: (07) 3738 9496

Mail:

PO Box 13554, George Street QLD 4003

Appendix A

Capacity

Capacity for an adult means they must be capable of all three of the following:

- (a) *understanding the nature and effect of decisions about the matter; and*
- (b) *freely and voluntarily making decisions about the matter; and*
- (c) *communicating the decisions in some way.*

Enduring Power of Attorney (EPoA)

To execute an Enduring Power of Attorney, an adult must have 'capacity'. Section 41(1) of the *Powers of Attorney Act 1998* states:

- (1) *A Principal may make an enduring power of attorney only if the principal understands the nature and effect of the enduring power of attorney.*
- (2) *Understanding the nature and effect of the enduring power of attorney includes understanding the following matters.*

To execute an Enduring Power of Attorney, an adult must be able to understand:

- (a) The adult can specify or limit the power to be given to an attorney, and they can instruct the attorney about the exercise of the power *when the power begins*;
- (b) When the power begins for a matter, the attorney has power to make and control the matter, subject to terms or conditions included in the enduring power of attorney;
- (c) The adult may revoke the enduring power of attorney at any time they are capable of making an enduring power of attorney;
- (d) The attorney's power continues even if the adult becomes a person who has impaired capacity;

At any time the adult is not capable of revoking the enduring power of attorney, the adult is unable to effectively oversee the use of the power.