

MEDICO-LEGAL SEMINAR ON MENTAL CAPACITY:

Updates on MCA and Assessing Mental Capacity



Text by Jasmine Soo, Executive, Event and Committee Support

The Medico-Legal Seminar on Mental Capacity: Updates on MCA and Assessing Mental Capacity, jointly organised by SMA Centre for Medical Ethics and Professionalism (CMEP) and Office of the Public Guardian (OPG), was held on Saturday, 21 January 2017. The seminar saw an overwhelming response of 91 healthcare professional participants.

The Lasting Power of Attorney (LPA) is an important aspect that assists in planning ahead, especially as the population ages and with dementia rates on the rise. Early planning of LPA enables one to appoint a "donee" to decide on matters such as personal welfare, property and affairs (including finances), or both, should they lose their mental capacity in the future. However, in situations where an LPA was not

made before the loss of mental capacity, the Mental Capacity Act (MCA) allows a deputy appointed by the court to make decisions on behalf of the patient.

The Mental Capacity (Amendment) Bill 2016 was passed in Parliament on 14 March 2016. The few key amendments include discussion on the introduction of professional donees and professional deputies; better protection from abuse by donees of deputies; commercial certainty in the use of the LPAs; and improvement of OPG's operations.

Topics covered during the seminar included the MCA, Assessing Capacity in Patients with Dementia, and Assessing Capacity in patients with Intellectual Disabilities. Both lawyers and doctors play significant roles in ensuring that patients lacking in mental capacity are provided for in their best interest by the

court-appointed deputy. Through the seminar, participants gained a wider knowledge and clearer understanding of the LPA and MCA from both the medical and legal viewpoints and on the proper procedures required to provide appropriate care required by patients with intellectual disability.

In his opening address, A/Prof Gerald Chua, Executive Director, SMA CMEP, introduced the eminent speakers and the objectives of the seminar. The distinguished speakers for the afternoon were Ms Luo Ling, Ms Regina Chang, Dr Adeline Ng Su Lyn and Dr Bhavani Sriram, while the panel discussion involved A/Prof Rathi Mahendran and A/Prof Lee Yen Kee Ruby, with Dr T Thirumoorthy as the moderator. During the panel discussion, participants took the opportunity to bring up their queries and the challenges they faced, which provided each speaker the opportunity to share their extensive knowledge and expertise.

The seminar ended with positive feedback with a weighted average of 4.14 to 4.27 (out of 5) for the various aspects on the overall effectiveness of the seminar. SMA CMEP would like to sincerely thank all speakers, participants and also OPG for their time and effort in making this seminar a successful one. ◆

Legend

1. Dr Adeline Ng Su Lyn giving a talk on Assessing Capacity in Patients with Dementia
2. A/Prof Gerald Chua presenting the Token of Appreciation to Dr Bhavani Sriram

