CONCISE GUIDANCE TO GOOD PRACTICE

A series of evidence-based guidelines for clinical management

NUMBER 12

Advance care planning

NATIONAL GUIDELINES

February 2009



















Clinical Standards Department

The aim of the Clinical Standards Department of the Royal College of Physicians is to improve patient care and healthcare provision by setting clinical standards and monitoring their use. We have expertise in the development of evidence-based guidelines and the organisation and reporting of multicentre comparative performance data. The department has three core strategic objectives: to define standards around the clinical work of physicians, to measure and evaluate the implementation of standards and its impact on patient care, and to effectively implement these standards.

Our programme involves collaboration with specialist societies, patient groups and national bodies including the National Institute for Health and Clinical Excellence (NICE), the Healthcare Commission and the Health Foundation.

Concise Guidance to Good Practice series

The concise guidelines in this series are intended to inform those aspects of physicians' clinical practice which may be outside their own specialist area. In many instances, the guidance will also be useful for other clinicians including GPs, and other healthcare professionals.

The guidelines are designed to allow clinicians to make rapid, informed decisions based wherever possible on synthesis of the best available evidence and expert consensus gathered from practising clinicians and service users. A key feature of the series is to provide both recommendations for best practice, and where possible practical tools with which to implement it.

Series Editors:

Lynne Turner-Stokes FRCP and Bernard Higgins FRCP

Copyright: All rights reserved. No part of this publication may be reproduced in any form (including photocopying or storing it in any medium by electronic means and whether or not transiently or incidentally to some other use of this publication) without the written permission of the copyright owner. Applications for the copyright owner's permission should be addressed to the publisher.

Copyright © 2009 Royal College of Physicians

Guideline Development Group

Lead authors: Simon Conroy, Premila Fade, Aileen Fraser, Rebekah Schiff

The guideline development group:

Mrs Jane Buswell

Consultant Nurse, British Geriatrics Society

Mr Simon Chapman

Ethical and legal affairs advisor, National Council for Palliative Care

Dr Simon Conroy

Senior Lecturer/Geriatrician, British Geriatrics Society

Dr Iudi Edmans

Research Occupational Therapist, University of Nottingham

Dr Premila Fade

British Geriatrics Society Ethics SIG

Mrs Aileen Fraser

Consultant Nurse, British Geriatrics Society

Dr Ann Homer

GP, Royal College of General Practitioners

Mrs Margaret Hughes

Lay representative, Royal College of Physicians Patient **Involvement Unit**

Dr Debra King

Consultant Geriatrician, British Geriatrics Society

Mr Roy Latham

Lay representative, Royal College of Physicians Patient **Involvement Unit**

Dr Iane Liddle

Consultant Geriatrician, British Geriatrics Society

Ms Rebecca Neno

Committee member of the Forum for Nurses Working with Older People, Royal College of Nursing

Dr Rebekah Schiff

Consultant Geriatrician, British Geriatrics Society

Mrs Pauline Thompson

Policy Advisor, Age Concern

Prof Lynne Turner-Stokes

Professor of rehabilitation medicine, Royal College of Physicians and British Society of Rehabilitation Medicine

Dr Jonathan Waite

Consultant Psychogeriatrician, Faculty of Old Age Psychiatry, Royal College of Psychiatrists

Ms Sara Wilcox

Legal and Welfare Officer, Alzheimer's Society

Ms Katharine Young

Clinical Standards Facilitator, Royal College of Physicians (Technical Support)

Acknowledgements

These guidelines were commissioned by the Clinical Practice and Evaluation Committee of the British Geriatrics Society. Funding was obtained from the British **Geriatrics Society.**

We are grateful to Dr Jonathan Potter (Clinical Evaluation and Effectiveness Unit, Royal College of Physicians) and Ms Katharine Young (Clinical Standards Department, Royal College of Physicians) for their technical advice, and Mrs Sarah Reeder and Mrs Joanna Gough (British Geriatrics Society) for their administrative support. We are especially grateful to Claud Regnard and Fiona Randall for their helpful comments on the draft manuscript. Last but by no means least, we are very grateful to the RCP patient representative panel for their comments throughout this process, especially Roy Latham and Margaret Hughes.

Citation: Royal College of Physicians, National Council for Palliative Care, British Society of Rehabilitation Medicine, British Geriatrics Society, Alzheimer's Society, Royal College of Nursing, Royal College of Psychiatrists, Help the Aged, Royal College of General Practitioners. Advance care planning. Concise Guidance to Good Practice series, No 12. London: RCP, 2009.

Royal College of Physicians of London 11 St Andrews Place, London NW1 4LE www.rcplondon.ac.uk

Registered Charity No 210508

British Society of Rehabilitation Medicine Tel: 01992 638 865; Fax: 01992 638 674 www.bsrm.co.uk

ISBN 978-1-86016-352-4

Designed and typeset by the Publications Unit of the Royal **College of Physicians**

Printed in Great Britain by The Lavenham Group Ltd, Suffolk

Contents

Guideline Development Group ii

Acknowledgements 1

Introduction 2

Methods 2

Background 2

Advance decisions to refuse treatment (ADRT)

Implementation 6

Public awareness/education 6

Training **6**

System factors 6

Health economics 6

THE GUIDELINES 7

- A When and with whom should I be considering ACP discussions? 7
- B The discussion 7
- C Will ACP work? 8
- D Individuals with progressive cognitive impairment 8
- E Recommendations for training and implementation of ACP 9

References 11

Appendices

- 1 Guideline development process 15
- 2 Grading system to indicate the level of evidence 17

At the core of current health and social care are efforts to promote patient-centred care, offer choice and the right to consent to or refuse treatment and care offered. This can be difficult to achieve when an individual has lost capacity – the ability to make one's own, informed decision. Advance care planning (ACP) may help in such scenarios. The aim of this guideline is to inform health and social care professionals on how best to manage advance care planning in clinical practice.

Introduction

Advance care planning has been defined as a process of discussion between an individual, their care providers, and often those close to them, about future care. The discussion may lead to:

- an advance statement (a statement of wishes and preferences)
- an advance decision to refuse treatment (ADRT a specific refusal of treatment(s) in a predefined potential future situation)
- the appointment of a personal welfare Lasting Power of Attorney (LPA).

All or any of these can help inform care providers should the individual lose capacity. These terms supercede previous phrases such as 'living wills' and 'advance directives'.

Advance decisions to refuse treatment only come into force if an individual loses capacity. The presence of an ACP or ADRT document does not override the decision of a competent individual.

Whilst ACP has been used for some time in North America, there has been relatively little experience in the use of ACP in the United Kingdom. However, with legislation in the form of the Mental Capacity Act,² and NHS initiatives aimed at increasing uptake of ACP,¹ it is likely that health and social care professionals will be faced more and more frequently with ACP scenarios.

Much of the evidence base for ACP comes from Canada and the USA; in interpreting the evidence we have been mindful of the differences between the two healthcare systems. In particular, US legislation requires that all individuals admitted to a care home are offered ACP.

In writing these guidelines, we have assumed that readers are familiar with making valid clinical decisions according to the Mental Capacity Act 2005 (Fig 1). This guideline is primarily aimed at health and social care professionals in England and Wales, especially those working with older people and patients with dementia, but will be relevant to any individual involved in ACP.

Methods

The guidelines have been developed in line with the Appraisal of Guidelines Research and Evaluation (AGREE) criteria;⁴ the methods are described in detail in Appendix 1.

Each research paper identified was sent out to two reviewers for grading, using the appraisal tool developed for use in the NSF for Long Term Conditions.⁵ The grading system is shown in Appendix 2. Consensus on each recommendation was achieved through a series of stakeholder meetings. The guideline was formally externally reviewed by Professor Jane Seymour (Nottingham), Professor Peter Bartlett (Nottingham) and Professor Gideon Caplan (New South Wales, Australia).

Background

Our review of the literature demonstrates that most of the general public (60–90%) is supportive of ACP,6–11 but only 8% of the public in England and Wales has completed an ACP document of any kind,12 compared to 10–20% of the public in the US, Canada, Australia, Germany and Japan.13–16 Most health and social care professionals have a positive attitude towards ACP.7,16–49 However, doctors, more than other professionals, have significant reservations about the applicability and validity of ACP documents.50–52

Figure 1. Making valid clinical decisions.

An advance refusal of treatment (ADRT) - see section 9.40 and 9.41 of the MCA Code of Practice:

- can only be made by a patient while they still have capacity, but only becomes active when they lose capacity
- only applies to a refusal of medical treatment
- is invalid if any of the following apply:
 - the person withdrew the decision while they still had capacity to do so
 - after making the advance decision, the person made a Lasting Power of Attorney (LPA) giving an attorney authority to make treatment decisions that are the same as those covered by the advance decision
 - the person has done something that clearly goes against the advance decision which suggests that they have changed their mind.
- is only applicable if it applies to the situation in question and in the current circumstances. An ADRT is not applicable if any of the following apply:
 - The proposed treatment is not the treatment specified in the advance decision.
 - The circumstances are different from those that may have been set out in the advance decision.
 - There are reasonable grounds for believing that there have been changes in circumstance, which would have affected the decision if the person had known about them at the time they made the advance decision.
 - The ADRT must be in writing if it is for the refusal of life-sustaining treatment, but not for non-life threatening conditions; however, a signed and witnessed document will avoid confusion.
- If an advance decision is not valid or applicable to current circumstances, the healthcare professionals must consider the ADRT as part of their assessment of the person's best interests if they have reasonable grounds to think it is a true expression of the person's wishes, and they must not assume that because an advance decision is either invalid or not applicable, they should always provide the specified treatment (including life-sustaining treatment) - they must base this decision on what is in the person's best interests.

Capacity - see section 4 of the MCA Code of Practice:

- is assumed to be present in all cases
- can be tested using the two stage test (see Fig 2)
- depends on the decision being made, eg a patient may have capacity for simpler decisions, but not complex issues
- can change with time, and needs to be monitored.

Communication – see section 3 of the MCA Code of Practice:

- Carers have to take all practicable steps to help a patient understand the information and communicate their decision.
- Professionals should take all practicable steps to include the patient in the decision.

Liability:

The MCÁ does not have any impact on a professional's liability should something go wrong, but a professional will not be liable for an adverse treatment effect if:

- Reasonable steps were taken to establish capacity.
- There was a reasonable belief that the patient lacked capacity.
- The decision was made in the patient's best interests.
- The treatment was one to which the patient would have given consent if they had capacity.

Personal Welfare Lasting Power of Attorney (LPA) - see section 7 of the MCA Code of Practice:

- must be made while the patient has capacity, but an LPA can act only when the patient lacks capacity to make the required decision
- must act according to the principles of best interests
- only extends to life-sustaining treatment if that was expressly contained in the original application
- only supercedes an advance decision if the LPA was appointed after the advance decisions and the conditions of the LPA cover the same treatment as in the ADRT.
 - NB Holders of LPA for Property and Affairs have no authority to make health and welfare decisions, but should be consulted as part of the best interests determination.

Court Appointed Welfare Deputies (CADS) - see section 8 of the MCA Code of Practice:

- may be appointed by the Court of Protection; the Court makes single decisions itself, but deputies may be appointed where a series of decisions are required
- are helpful when a patient's best interests require a deputy consulting with everyone
- can make decisions on the patient's behalf, but cannot refuse or consent to life-sustaining treatments
- are subject to the principles of best interests (see above).

Independent Mental Capacity Advocates (IMCAs) – see section 10 of the MCA Code of Practice:

- are part of a new public consultation service for individuals with no other representative
- need only be involved in specific decisions ('serious' medical treatments and admissions to hospitals or care homes)
- advise regarding best interests
 - NB In emergencies it is not necessary to delay the necessary decisions and treatment by waiting for an IMCA's views.

The court of protection can advise on and resolve difficult problems: www.publicguardian.gov.uk/about

Any professional making decisions on behalf of a person without capacity is required by law to have regard to the Mental Capacity Act Code of Practice: www.publicguardian.gov.uk/docs/code-of-practice-041007.pdf Office of Public Guardian: www.publicguardian.gov.uk

MCA = Mental Capacity Act 2005

The majority of individuals are happy to discuss ACP in primary and outpatient care settings when their condition is stable,53-58 in anticipation of future illhealth.^{20,54–56,59,60} Advance care planning discussions with patients with long-term conditions^{47,58–60} or as part of a broad end-of-life care management programme^{61–63} increase patient satisfaction. ACP discussions at entry into a care home may cause additional upset at a time of transition,64 but can be successful once the individual is more settled, given appropriate staff education and training.21,65-69 While most professionals and patients (>80%) agree that ACP discussions should take place around the time of diagnosis of a life-threatening illness,54,70 some patients with terminal disease⁷⁰ or serious illness requiring hospitalisation⁷¹ may not feel ready or able to do so.

Advance care planning discussions can be successfully led by a competent case manager; 1,72–74 in the US this is often a social worker or nurse. In the UK this could be a community matron or other specialist nurse with the necessary expertise and knowledge base. Discussions can be conceived in various stages which are fluid and dynamic^{75,76} and should be a process rather than a single event.^{59,77} Patients can demonstrate any of the following responses to ACP:

- The patient has not and does not wish to consider ACP.
- The patient does not wish to discuss specific aspects of future care, but may be willing to discuss other aspects.
- The patient would like to make a verbal statement about their wishes.
- The patient would like to document their wishes.
- The patient would like to review their wishes.

Patients can exhibit several of these responses at once, and may oscillate between responses. This is natural as illness changes their goals and focus and they adjust to changing circumstances. Any approach should be straightforward⁷⁸ and allow the patient to close the topic down at any time during the discussion⁷⁰ (see Box 1).

Drafting clinically relevant, valid and applicable ACP documents is difficult; only 10-62% of ACP documents relating to hospital treatment contain sufficient information to direct care;^{79–81} physician agreement about the content of an ACP document varies from 75-88%.82 Using ACP documents without prior discussion between the individual and their care provider to predict what that individual would have wanted is accurate 70-75% of the time;83-90 however, prior discussion increases proxy or physician surrogate decision accuracy, 85,88,89,91 especially for decisions relating to coma or ventilation.⁹² Multifaceted interventions, involving case managers helping individuals draft ACP documents and collaboration between primary and secondary care, can increase ACP documentation in medical records^{91,93,94} and reduce the number of treatment decisions not in agreement with the individual's wishes from 18% to 5%.68

Individuals prefer goal- or outcome-orientated statements rather than directives about specific treatments in specific circumstances,^{87,95,96} but health and social professionals find these more difficult to interpret;⁸⁷ a combination of personal narrative and specific advance refusals may be the best option.^{97–99}

Advance decisions to refuse treatment (ADRT)

The Mental Capacity Act (MCA), section 25,² sets out the requirements that ADRT must meet to be valid and applicable. Preferences are less likely to change if they have been discussed with a doctor.¹⁰⁰ Even so, up to one-third of individuals will change their advance care plan over time (months/years), influenced by changes in diagnosis,^{101,102} hospitalisation, mood, health status, social circumstances and functional ability.^{90,101–105}

There is no good evidence that the completion of ADRT leads to the denial of appropriate healthcare^{61,106–111} or increases mortality.^{61,106,112–114}

Box 1. Tips for a successful ACP discussion.

- The individual needs to be ready for the discussion it cannot be forced.
- Discussions usually need to take place on more than one occasion (over days, weeks, months) and should not be completed on a single visit in most circumstances.
- Discussions take time and effort and cannot be completed as a simple checklist exercise.
- Discussions should take place in comfortable, unhurried surroundings; time is a key factor.
- It is important that capacity is maximised by ensuring the treatment of any transient condition affecting communication and optimising sensory function (eg by obtaining the patient's hearing aid).
- A step-by-step approach should be used.
- Discussions should be characterised by truthfulness; respect; time; compassion and empathy.¹³⁶
- A tool to introduce the concept and guide the discussion may help professionals to address ACP with people (see Box 2).
- Information should be given using words the person understands.
- Clarify any ambiguous terms used by your patient, for example: 'could you explain what you mean by not wanting any heroics?'. Checking and reflecting in this way is a key part of effective communication.
- Individuals should be given sufficient information about their possible options and under what circumstances their plan would be activated. They need to understand what the consequences of their decision would be.
- The professional should look out for cues that the individual wishes to end the discussion.
- The professional should summarise and check understanding with the patient.
- The discussion should be documented if the patient so wishes.
- Not all people will be able to document their wishes, but may well be able to nominate their preferred decision maker and discuss their long-term values, as these come to mind more readily than anticipating abstract situations.
- Audio-visual recordings might be helpful in providing the individual a record of the discussion.
- Plan for a review.

Box 2. Suggested content for an ACP document.

A document is not a requirement of ACP, unless the patient specifically wishes to record an ADRT refusing life-sustaining treatment. However, we reviewed a variety of ACP documents (see below); none is ideal. In practice a combination of documents are likely to be required:

- · an administrative section with relevant contact numbers
- a tool to help people express their preferences, such as the Hammersmith Expression of Healthcare Preferences¹³⁷
- an MCA-compliant ADRT (if the individual wishes this), which should help direct care and a reference to any LPA.

Accompanying notes should be clear, concise and unambiguous. It should, however, be emphasised that ACP is more about discussion and communication than the forms, although documentation is important, especially for ADRTs.

ACP documents examined:

- Let Me Decide138
- The Medical Directive 139
- Dignity in Dying (www.dignityindying.org.uk/livingwills/)
- Alzheimer's Society living will (www.alzheimers.org.uk/site/scripts/documents_info.php?documentID=143)
- Hammersmith Expression of Healthcare Preferences¹³⁷
- Thinking Ahead ACP planning discussion (www.goldstandardsframework.nhs.uk/advanced_care.php)
- Advanced Clinical management plan (Minnie Kidd House)
- Care Home Support Team health care choices form
- Physician Orders for Life Sustaining Treatment (POLST) (www.ohsu.edu/polst)
- Lawpack Advance Medical Decision (www.lawpack.co.uk/Family/product859.asp)
- ADRT.nhs.uk (www.adrtnhs.co.uk/pages/links.htm)
- Preferred Priorities of Care (www.endoflifecareforadults.nhs.uk/eolc/ppc.htm)

Implementation

Barriers to increased ACP uptake can be categorised according to client/individual factors (receptiveness and cognitive impairment); family factors (availability, unaware of need for ACP or difficult relationship with the patient); case-manager factors (previous experience/lack of knowledge, level of comfort with discussion, lack of training⁷⁴); service factors (lack of funding, lack of time⁷⁴), doctors' beliefs about appropriateness^{11,39,115–117} and system factors (lack of communication with providers, legislation, providers unaware of case manager).¹¹⁸

Public awareness/education

Increased uptake of ACP is achieved through a combination of professionals initiating the discussions,68 combined with educational materials66,91,119,120 and physician involvement,21,65,66 which can be prompted through routine reminders.58,119,121,122

Training

Staff training should be based in the workplace, repeated regularly and led by experts; 123 peer mentoring is an effective educational intervention for selected patients. 124 Staff need excellent communication skills and knowledge of the relevant disease process, prognosis and treatment options, in order to undertake useful ACP discussions. Staff should recognise and work within their own competencies, and ask for expert support when it is required.

System factors

In some countries (eg Denmark), doctors are obliged to consult a central register of ACP documents when making best interests decisions, 125 while regionally funded voluntary register schemes operate in the US126 which allow 24-hour, 7-day access to ACP documents. In England and Wales, details about LPAs and deputies should be available through the Office of the Public Guardian. Labelling of case notes regarding the presence/absence of ACP documents may only be accurate on 60–90% of occasions. 82,127

Health economics

Advance care planning does not reliably reduce healthcare costs,^{61,128} except when used systematically in the care home setting.⁶⁹ Any cost reduction associated with ACP is probably related to avoiding 'terminal hospitalisation',¹²⁹ or because people with an ADRT are less likely to receive lifesustaining therapy when hospitalised.^{130–133}

THE GUIDELINES

Red	commendation	Grade
A	When and with whom should I be considering ACP discussions?	
	ACP should be offered during routine clinical practice, but never forced upon an individual.	RB
	Pre-existing ACPs should be acknowledged and reviewed if appropriate.	E1/2
	 Professionals should initiate ACP discussions with patients with long-term conditions or receiving end-of-life care, using their professional judgement to gauge the appropriate time. This will depend on prognosis and pattern of disease progression and on the patient's willingness to engage in the discussion (see Box 1). 	RB
	 Ideally, ACP discussions should be initiated in primary care or in the outpatient setting, before individuals become acutely unwell. 	RB
	 Professionals should avoid initiating discussions immediately after a move into a care home; discussions should be undertaken once individuals are more settled. 	RB
	 ACP discussions should be initiated by an appropriately trained professional* who has rapport with the individual and, where necessary, supported by a professional with relevant specialist knowledge. 	E1/2
	• The professional should have adequate knowledge about the disease, treatment and the particular individual to be able to give the patient all the information needed to express their preferences to make the plan. For example, it would be appropriate for a palliative care nurse or GP to initiate a general ACP discussion with a patient with cancer, but may not be appropriate for them to offer specific advice about chances of survival with chemotherapy, unless they had specific training in that area. Instead, they may refer the patient to an oncologist to continue the more detailed discussion.	E1/2
	 Individuals should be encouraged to choose who they would wish to be included in the discussion, such as next of kin or future proxy. 	E1/2
В	The discussion	
	 ACP discussions need to be skilfully led and should be a process, not a single event or a tick box exercise. 	RB
	 Professionals should ensure that individuals have every opportunity to participate in the discussion by treating reversible illness impacting on decision-making, such as delirium or sensory impairment, and ensuring that the patient is pain-free, fed, not too tired etc. This may be better achieved when the individual is not an inpatient, and also relieves any perception that the health service has provided 'undue influence'. 	E1
	• ACP discussions should not be continued if they are causing the patient excessive distress or anxiety.	E1/2
	Professionals should take account of the following factors which influence attitudes to	
	discussing ACP, and ensure that these factors do not act as artificial barriers: Older people may be concerned about the burden of their own illness on their family. the professional's own personal experience and beliefs. For example, if the professional has strong views on end-of-life care, influenced by their own religious beliefs, they should ensure that they do not impose their views on their patient. If there is a conflict of interest, a different professional opinion may be required.	E1&2 RC
	 the patient's gender, race, culture, sexual orientation, religion, beliefs and values the patient's concerns about euthanasia. 	RB RB
	 Individuals should be encouraged to choose who they would wish to be included in the discussion, such as next of kin or future proxy. 	E1/2
	Box 1 offers some suggestions as to how an ACP discussion should be led.	

^{*} This does not need to be a health professional and could be, for example, a social worker or lawyer. But the professional does need to ensure that they are giving appropriate advice.

Continued overleaf

THE GUIDELINES

Recommendation Grade Will ACP work? Individuals preparing ACP documents should be advised that: - completing an advance care plan alone does not guarantee that their wishes will be RB respected. However, a valid and applicable ADRT must be followed. - healthcare providers are not obliged to provide medical care that is clinically inappropriate. **F2** - ADRTs are not valid if an LPA covering the same treatment was appointed after the ADRT **E2** was made. Individuals appointing an LPA should be aware that there may be misinterpretation of the RC patient's wishes by a proxy, even following guided discussions. Individuals should be strongly encouraged to discuss ACP with a healthcare professional. RA While it is not a legal requirement, as a matter of practice it is particularly important that RR ADRTs concerning the refusal of life-sustaining therapy should be discussed with a doctor. ACP documents should be reviewed periodically, and particularly if circumstances change, for example: - if the individual's health changes or there is a new diagnosis **RB** - if there is a change in the individual's functional abilities. RC An ACP document may be judged invalid if the individual behaves in a manner inconsistent **E2** with their original specifications; in such circumstances, the ACP document should be included in a broad reassessment of best interests.* Healthcare professionals should make reasonable efforts† to seek out an advance care plan or **E2** ADRT and, if one is found, review the document with the individual (if they still have capacity) and ensure that it is placed in the medical record (if the patient consents). Healthcare professionals should advise individuals to carry a card or equivalent, notifying E1/2 others that they have completed an advance care plan, and how it can be accessed. Health and social care providers should ensure that advance care plans travel with patients $R\Delta$ and are respected across sectors, by ensuring that documentation is recognised/respected across sectors and included in transfer/hand-over procedures. **Individuals with progressive cognitive impairment** Individuals should be offered ACP discussions early in their disease process. RC Healthcare professionals should consider using clinical vignettes or examples as useful aids for RC ACP in individuals with moderate cognitive impairment. Once a patient has lost capacity to make decisions about their future care (see Fig 2), any care E1/2 decisions not within the scope of a valid and applicable ADRT will need to be made in their best interests following the MCA framework. If an LPA with relevant authority has been appointed they make the decision on behalf of the patient; in these circumstances detailed discussion with the attorney is essential.

^{*} For example, what was once a clearly expressed preference to be moved to a care home so as not to become a burden on the family could be overtaken by a poorly expressed fear about losing control and a desire to cling to familiar surroundings. Care professionals must remain alert to behaviour which is inconsistent with desires that were expressed before cognitive degeneration. Under such circumstances an ACP document may be regarded as invalid.

[†] Reasonable efforts might include having discussions with relatives of the patient, looking in the patient's clinical notes held in the hospital, or contacting the patient's GP (Mental Capacity Act, Code of Practice, section 9.49).

THE GUIDELINES

Recommendation Grade **Recommendations for training and implementation of ACP** Health and social care staff should be trained in ACP discussions, especially: E1/2 RA - case managers, such as nursing staff, community matrons, social workers and other RC key workers. Staff training should be workplace-based, recurrent and led by experts and expert patients. RC Public awareness about ACP should be increased; this is the responsibility of individual RC practitioners through to government departments. Public education must involve discussions with professionals as well the provision of RA educational material. Public education must not rely on handing out information leaflets alone. RA Peer education of patients should be included, using expert patients. RC Health and social care professionals should initiate ACP discussions with appropriate RA individuals and have access to information leaflets. But ACP is completely voluntary for the patient, who must be informed that they can decline or defer discussion. Physicians should be routinely reminded to offer ACP discussion at an appropriate time to **RA** their patients. ACP should be part of the Quality Outcomes Framework and considered in annual care reviews E1/2 of patients with long-term conditions. General practices should review how many people who have died in their practice were offered E1/2 ACP, as part of annual care reviews. Medical records should contain a specific section for advance statements, ADRTs and E1/2 resuscitation decisions. People with ACP documents should be encouraged to ensure the ACP document is readily E1/2 available at all times.* A register should be created, which stores details about an individual's ACP document, and E1/2 should be readily accessible with the individual's permission. Ultimately, ACP documents should be recorded on the electronic patient record (with the E1/2 patient's consent (9.38 in the MCA Code of Practice)).

^{*} Methods include the 'message in a bottle' scheme, in which a notice placed at the front door of an individual's home alerts ambulance crew to the fact that an ACP document exists and its location. Other schemes include ensuring that the ambulance service has copies of relevant ACPs, with the patient's consent.

Figure 2. Making best interest decisions in serious medical conditions in patients over 18 years.

Adapted from Regnard, © Regnard, Dean and Hockley, A Guide to Symptom Relief in Palliative Care 6e. Oxford: Radcliffe Publishing; 2009. Reproduced with the permission of the copyright holder.

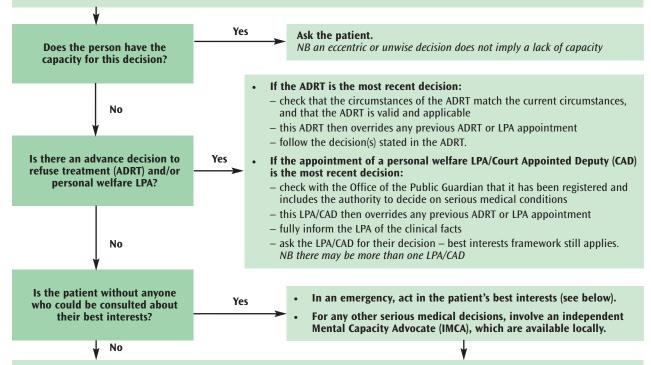
Start by assuming that the patient has capacity. If there is doubt, proceed to the two stage test of capacity:

Stage 1: Does this person have an impairment of, or a disturbance in the functioning of, their mind or brain?

Stage 2: Does the impairment or disturbance mean that the person is unable to make a specific decision whn they need to? This is tested as follows:

- Can they understand the information? NB this must be imparted in a way the patient can understand
- Can they retain the information? NB this only needs to be for long enough to use and weigh the information
- 3 Can they use or weigh up that information? NB they must be able to show that they are able to consider the benefits and burdens of the alternatives to the proposed treatment
- Can they communicate their decision? NB the carers must try every method possible to enable this

The result of each step of this assessment should be documented, ideally by quoting the patient.



- Appoint a decision maker (usually after an interdisciplinary team discussion) who should:
 - encourage the participation of the patient
 - identify all the relevant circumstances
 - find out the person's views (ie wishes, preferences, beliefs and values): these may have been expressed verbally previously, or exist in an ADRT or advance care plan made when the patient had capacity
 - avoid discrimination and avoid making assumptions about the person's quality of life
 - assess whether the person might regain capacity
 - if the decision concerns life-sustaining treatment, not be motivated in any way by a desire to bring about the person's death
 - consult others (within the limits of confidentiality): this may include friends, family, carers, an LPA, IMCA or CAD
 - avoid restricting the person's rights
 - take all of this into account, ie weigh up all of these factors in order to work out the person's best interests.
- Record the decisions.

If there are unresolved conflicts, consider involving:

- the local ethics committee
- the Court of Protection, possibly through a CAD.

CAD = Court Appointed Deputy; LPA = Lasting Power of Attorney

References

- NHS End of Life Care Programme. Advance care planning: a guide for health and social care staff. London, 2007.
- Department for Constitutional Affairs. Mental Capacity Act. London, 2005.
- R (Burke) v General Medical Council: Queen's Bench Division (Administrative court), 2004.
- AGREE Collaboration. Appraisal of Guidelines Research and Evaluation, 2001. AGREE website: www.agreetrust.org
- Turner-Stokes L HR, Sergeant J, Lupton C, McPherson K. Generating the evidence base for the National Service Framework for Long Term Conditions: a new research typology. Clin Med 2006;6(1).
- Schiff R, Rajkumar C, Bulpitt C. Views of elderly people on living wills: interview study. BMJ 2000;320(7250):1640–1.
- Blondeau D, Valois P, Keyserlingk EW, Hebert M, Lavoie M. Comparison of patients' and health care professionals' attitudes towards advance directives. J Med Ethics 1998;24(5): 328-35.
- Sam M, Singer PA. Canadian outpatients and advance directives: poor knowledge and little experience but positive attitudes. CMAJ 1993;148(9):1497-502.
- Morrison RS, Meier DE. High rates of advance care planning in New York City's elderly population. Arch Intern Med 2004;164(22):2421-6.
- 10 Sahm S, Will R, Hommel G. What are cancer patients' preferences about treatment at the end of life, and who should start talking about it? A comparison with healthy people and medical staff. Support Care Cancer 2005;13(4): 206-14.
- 11 Sahm S, Will R, Hommel G. Attitudes towards and barriers to writing advance directives amongst cancer patients, healthy controls, and medical staff. J Med Ethics 2005;31(8):437-40.
- 12 ICM/Endemol/BBC Poll. Survey of General public, 2005.
- 13 Thorevska N, Tilluckdharry L, Tickoo S et al. Patients' understanding of advance directives and cardiopulmonary resuscitation. J Crit Care 2005;20(1):26-34.
- 14. Ashby M, Wakefield M. Attitudes to some aspects of death and dying, living wills and substituted health care decisionmaking in South Australia: public opinion survey for a parliamentary select committee. Palliat Med 1993;7(4):
- 15 Singer PA, Thiel EC, Naylor CD et al. Life-sustaining treatment preferences of hemodialysis patients: implications for advance directives. J Am Soc Nephrol 1995;6(5):1410-7.
- Voltz R, Akabayashi A, Reese C, Ohi G, Sass HM. End-of-life decisions and advance directives in palliative care: a crosscultural survey of patients and health-care professionals. J Pain Symptom Manage 1998;16(3):153-62.
- 17 Thompson TDB, Barbour RS, Schwartz L. Health professionals' views on advance directives: a qualitative interdisciplinary study. Palliat Med 2003;17(5):403-9.
- Schiff R, Sacares P, Snook J, Rajkumar C, Bulpitt CJ. Living wills and the Mental Capacity Act: a postal questionnaire survey of UK geriatricians. Age Ageing 2006;35(2):116-21.
- Toller CAS, Budge MM. Compliance with and understanding of advance directives among trainee doctors in the United Kingdom. J Palliat Care 2006;22(3):141-6.
- Hughes DL, Singer PA. Family physicians' attitudes toward advance directives. CMAJ 1992;146(11):1937-44.

- 21 Markson L, Clark J, Glantz L et al. The doctor's role in discussing advance preferences for end-of-life care: perceptions of physicians practicing in the VA. J Am Geriatr Soc 1997;45(4):399-406.
- 22 Badzek LA, Leslie N, Schwertfeger RU et al. Advanced care planning: a study on home health nurses. Appl Nurs Res 2006;19(2):56-62.
- 23 Brunetti LL, Carperos SD, Westlund RE. Physicians' attitudes towards living wills and cardiopulmonary resuscitation [see Comment]. J Gen Intern Med 1991;6(4):323-9.
- Jezewski MA, Meeker MA, Robillard I. What is needed to assist patients with advance directives from the perspective of emergency nurses. J Emerg Nurs 2005;31(2):150–5.
- 25 Schmidt TA, Hickman SE, Tolle SW, Brooks HS. The Physician Orders for Life-Sustaining Treatment program (POLST): Oregon emergency medical technicians' practical experiences and attitudes. J Am Geriatr Soc 2004;52(9): 1430-4.
- van Oorschot B, Simon A. Importance of the advance directive and the beginning of the dying process from the point of view of German doctors and judges dealing with guardianship matters: results of an empirical survey. J Med Ethics 2006;32(11):623-6.
- Buss MK, Marx ES, Sulmasy DP. The preparedness of students to discuss end-of-life issues with patients. Acad Med 1998; 73(4):418-22.
- Hilden HM, Louhiala P, Palo J. End of life decisions: attitudes of Finnish physicians. J Med Ethics 2004;30(4):362-5.
- 29 Hilden H-M, Louhiala P, Honkasalo M-L, Palo J. Finnish nurses' views on end-of-life discussions and a comparison with physicians' views. Nurs Ethics 2004;11(2):165-78.
- Lipson AR, Hausman AJ, Higgins PA, Burant CJ. Knowledge, attitudes, and predictors of advance directive discussions of registered nurses. West J Nurs Res 2004;26(7):784-96.
- Rurup ML, Onwuteaka-Philipsen BD, Pasman HRW, Ribbe MW, van der Wal G. Attitudes of physicians, nurses and relatives towards end-of-life decisions concerning nursing home patients with dementia. Patient Educ Couns 2006;61(3): 372-80.
- 32 Asai A, Fukuhara S, Inoshita O et al. Medical decisions concerning the end of life: a discussion with Japanese physicians. J Med Ethics 1997;23(5):323-7.
- Bern-Klug M, Gessert CE, Crenner CW, Buenaver M, Skirchak D. "Getting everyone on the same page": nursing home physicians' perspectives on end-of-life care. J Palliat Med 2004;7(4):533-44.
- 34 Kelner M, Bourgeault IL, Hebert PC, Dunn EV. Advance directives: the views of health care professionals. CMAJ 1993; 148(8):1331-8.
- Downe-Wamboldt B, Butler L, Coughlan S. Nurses' knowledge, experiences, and attitudes concerning living wills. Can J Nurs Res 1998;30(2):161-75.
- Partridge RA, Virk A, Sayah A, Antosia R. Field experience with prehospital advance directives. Ann Emerg Med 1998;32 (5):589-93.
- Kim S, Lee Y. Korean nurses' attitudes to good and bad death, life-sustaining treatment and advance directives. Nurs Ethics 2003;10(6):624-37.
- Masuda Y, Fetters MD, Hattori A et al. Physicians's reports on the impact of living wills at the end of life in Japan. J Med Ethics 2003;29(4):248-52.
- Perry E, Swartz R, Smith-Wheelock L, Westbrook J, Buck C.

- Why is it difficult for staff to discuss advance directives with chronic dialysis patients? J Am Soc Nephrol 1996;7(10):
- Sahm S, Will R, Hommel G. Attitudes towards and barriers to writing advance directives amongst cancer patients, healthy controls, and medical staff. J Med Ethics 2005;31(8):437-40.
- 41 Black K. Social workers' personal death attitudes, experiences, and advance directive communication behavior. J Soc Work End Life Palliat Care 2005;1(3):21-35.
- 42 Lacey D. End-of-Life decision making for nursing home residents with dementia: a survey of nursing home social services staff. Health Soc Work 2006;31(3):189-99.
- 43 Feeg VD, Elebiary H. Exploratory study on end-of-life issues: barriers to palliative care and advance directives. Am J Hosp Palliat Care 2005;22(2):119-24.
- 44 Glasz BP, Morrison GW. Advance directives: what your colleagues are thinking - and doing. J Am Acad Physic Ass (JAAPA) 1995;8(9):51-2.
- 45 Tee KH, Seet LT, Tan WC, Choo HW. Advance directive: a study on the knowledge and attitudes among general practitioners in Singapore. Singapore Med J 1997;38(4):145-8.
- 46 Baker ME. Knowledge and attitudes of health care social workers regarding advance directives. Soc Work Health Care 2000;32(2):61-74.
- Molloy DW, Bedard M, Guyatt GH et al. Attitudes training issues and barriers for community nurses implementing an advance directive program. Perspectives 1997;21(1):2-8.
- Blasszauer B, Jakab T, Csanaky A. Hungarian physicians' attitudes toward advance directives. Bull Med Ethics 1997; (126):13-6.
- Ryan CJ, Santucci MA, Gattuso MC et al. Perceptions about advance directives by nurses in a community hospital [see Comment]. Clin Nurse Spec 2001;15(6):246-52.
- 50 Shore AD, Rubin HR, Haisfield ME et al. Health care providers' and cancer patients' preferences regarding disclosure of information about advance directives. J Psychosoc Oncol 1993;11(4):39-53.
- 51 Haisfield ME, McGuire DB, Krumm S et al. Patients' and healthcare providers' opinions regarding advance directives. Oncol Nurs Forum 1994;21(7):1179-87.
- 52 Neuman K, Wade L. Advance directives: the experience of health care professionals across the continuum of care. Soc Work Health Care 1999;28(3):39-54.
- 53 Fried TR, Rosenberg RR, Lipsitz LA. Older communitydwelling adults' attitudes toward and practices of health promotion and advance planning activities. J Am Geriatr Soc 1995;43(6):645-9.
- 54 Johnston SC, Pfeifer MP, McNutt R. The discussion about advance directives: Patient and physician opinions regarding when and how it should be conducted. Arch Intern Med 1995;155(10):1025-30.
- Torroella Carney M, Morrison RS. Advance directives: when, why, and how to start talking. Geriatrics 1997;52(4):65-73.
- 56 Edinger W, Smucker DR. Outpatients' attitudes regarding advance directives. J Fam Pract 1992;35(6):650-3.
- Meier DE, Gold G, Mertz K et al. Enhancement of proxy appointment for older persons: physician counselling in the ambulatory setting. J Am Geriatr Soc 1996;44(1):37-43.

- Tierney WM, Dexter PR, Gramelspacher GP et al. The effect of discussions about advance directives on patients' satisfaction with primary care [see Comment]. J Gen Intern Med 2001;16(1):32-40.
- Finucane TE SJ, Powers RL and D'Alessandri RM. Planning with elderly outpatients for contingencies of severe illness: a survey and clinical trial. J Gen Intern Med 1988(3):322-5.
- 60 Kass-Bartelmes BL, Hughes R. Advance care planning: preferences for care at the end of life [see Comment]. J Pain Palliat Care Pharmacother 2004;18(1):87-109.
- Engelhardt JB, McClive-Reed KP, Toseland RW et al. Effects of a program for coordinated care of advanced illness on patients, surrogates, and healthcare costs: a randomized trial. Am J Manag Care 2006;12(2):93-100.
- 62 Rabow MW, Dibble SL, Pantilat SZ, McPhee SJ. The comprehensive care team: a controlled trial of outpatient palliative medicine consultation. Arch Intern Med 2004;164 (1):83-91.
- 63 Horne G, Seymour J, Shepherd K. Advance care planning for patients with inoperable lung cancer. Int J Palliat Nurs 2006;
- White C. An exploration of decision-making factors regarding advance directives in a long-term care facility. J Am Acad Nurse Pract 2005;17(1):14–20.
- 65 Keay TJ, Alexander C, McNally K, Crusse E, Eger RE. Nursing home physician educational intervention improves end-of-life outcomes. J Palliat Med 2003;6(2):205-13.
- 66 Hanson LC RK, Henderson M, Pickard CG, A quality improvement intervention to increase palliative care in nursing homes. J Palliat Med 2005;8(3):576-84.
- Freedman M. Helping home bound elderly clients understand and use advance directives. Soc Work Health Care 1994;20(2): 61-73.
- Morrison RS, Chichin E, Carter J et al. The effect of a social work intervention to enhance advance care planning documentation in the nursing home. J Am Geriatr Soc 2005; 53(2):290-4.
- Molloy D, Guyatt GH, Russo R et al. Systematic implementation of an advance directive program in nursing homes: A randomized controlled trial. JAMA 2000;283(11): 1437-44.
- 70 Barnes K, Jones L, Tookman A, King M. Acceptability of an advance care planning interview schedule: a focus group study. Palliat Med 2007;21(1):23-8.
- Hofmann JC, Wenger NS, Davis RB et al. Patient preferences for communication with physicians about end-of-life decisions. SUPPORT Investigators. Study to Understand Prognoses and Preference for Outcomes and Risks of Treatment [see Comment]. Ann Intern Med 1997;127(1):1-12.
- 72 Ratner E, Norlander L, McSteen K. Death at home following a targeted advance-care planning process at home: the kitchen table discussion [see Comment]. J Am Geriatr Soc 2001;49(6): 778-81.
- Soskis CW. End-of-life decisions in the home care setting. Soc Work Health Care 1997; 25(1/2):107-16.
- 74 Stiller A, Molloy DW, Russo R et al. Development and evaluation of a new instrument that measures barriers to implementing advance directives. JCOM 2001;8(4):26-31.
- Prochaska J DC. Transtheoretical therapy: towards a more integrative model of change. Psychotherapy theory, research and practice 1982;(19):276-88.

- 76 Westley C, Briggs LA. Using the stages of change model to improve communication about advance care planning. Nurs Forum 2004;39(3):5-12.
- Seymour J, Gott M, Bellamy G, Ahmedzai SH, Clark D. Planning for the end of life: the views of older people about advance care statements. Soc Sci Med 2004;59(1):57-68.
- 78 McDonald DD, Deloge J, Joslin N et al. Communicating endof-life preferences... including commentary by Saunders JM and Wilson D with author response. West J Nurs Res 2003;25 (6):652-75.
- Gilbert M, Counsell CM, Guin P, O'Neill R, Briggs S. Determining the relationship between end-of-life decisions expressed in advance directives and resuscitation efforts during cardiopulmonary resuscitation. Outcomes Manag Nurs Pract 2001;5(2):87-92.
- Sekkarie MA, Moss AH. Withholding and withdrawing dialysis: the role of physician specialty and education and patient functional status. Am J Kidney Dis 1998;31(3):464-72.
- 81 Mitchell SL, Lawson FM. Decision-making for long-term tube-feeding in cognitively impaired elderly people [see Comment]. CMAJ 1999;160(12):1705-9.
- 82 Cohen-Mansfield J, Libin A, Lipson S. Differences in presenting advance directives in the chart, in the minimum data set, and through the staff's perceptions. Gerontologist 2003;43(3):302-8.
- 83 Smucker WD, Houts RM, Danks JH et al. Modal preferences predict elderly patients' life-sustaining treatment choices as well as patients' chosen surrogates do. Med Decis Making 2000; 20(3):271-80.
- Gerety MB, Chiodo LK, Kanten DN, Tuley MR, Cornell JE. Medical treatment preferences of nursing home residents: relationship to function and concordance with surrogate decision-makers [see Comment]. J Am Geriatr Soc 1993;
- Sulmasy DP, Haller K, Terry PB. More talk, less paper: predicting the accuracy of substituted judgments. Am J Med 1994;96(5):432-8.
- 86 Wilson IB, Green ML, Goldman L et al. Is experience a good teacher? How interns and attending physicians understand patients' choices for end-of-life care. SUPPORT Investigators. Study to Understand Prognoses and Preferences for Outcomes and Risks of Treatments. Med Decis Making 1997;17(2):217-27.
- Rodriguez KL, Young AJ. Patients' and healthcare providers' understandings of life-sustaining treatment: are perceptions of goals shared or divergent? Soc Sci Med 2006;62(1):125-33.
- Miura Y, Asai A, Matsushima M et al. Families' and physicians' predictions of dialysis patients' preferences regarding life-sustaining treatments in Japan. Am J Kidney Dis 2006;47(1): 122–30.
- Tang ST, Liu T-W, Lai M-S, Liu L-N, Chen C-H. Concordance of preferences for end-of-life care between terminally ill cancer patients and their family caregivers in Taiwan. J Pain Symptom Manage 2005;30(6):510-8.
- Froman RD, Owen SV. Randomized study of stability and change in patients' advance directives. Res Nurs Health 2005;28 (5):398-407.
- 91 Pearlman RA, Starks H, Cain KC, Cole WG. Improvements in advance care planning in the Veterans Affairs System: results of a multifaceted intervention. Arch Intern Med 2005;165(6): 667-74.
- 92 Fischer GS, Tulsky JA, Rose MR, Siminoff LA, Arnold RM.

- Patient knowledge and physician predictions of treatment preferences after discussion of advance directives [see Comment]. J Gen Intern Med 1998;13(7):447-54.
- 93 Teno J, Lynn J, Wenger N et al. Advance directives for seriously ill hospitalized patients: effectiveness with the Patient Self-Determination Act and the SUPPORT intervention. SUPPORT Investigators. Study to Understand Prognoses and Preferences for Outcomes and Risks of Treatment [see Comment]. J Am Geriatr Soc 1997;45(4):
- Department for Constitutional Affairs. Mental Capacity Act 2005 Code of Practice Norwich: Stationery Office, 2007.
- Rosenfeld KE, Wenger NS, Kagawa-Singer M. End-of-life decision making: a qualitative study of elderly individuals. J Gen Intern Med 2000;15(9):620-5.
- 96 Schwartz C, Lennes I, Hammes B et al. Honing an advance care planning intervention using qualitative analysis: the Living Well interview. J Palliat Med 2003;6(4):593-603.
- Kolarik RC, Arnold RM, Fischer GS, Hanusa BH. Advance care planning: a comparison of values statements and treatment preferences. J Gen Intern Med 2002;17(8):618-24.
- Reinders M, Singer PA. Which advance directive do patients prefer? J Gen Intern Med 1994;9(1):49-51.
- Schonwetter RS, Walker RM, Solomon M, Indurkhya A, Robinson BE. Life values, resuscitation preferences, and the applicability of living wills in an older population. J Am Geriatr Soc 1996;44(8):954-8.
- 100 Emanuel LL, Emanuel EJ, Stoeckle JD, Hummel LR, Barry MJ. Advance directives. Stability of patients' treatment choices. Arch Intern Med 1994;154(2):209-17.
- 101 Kohut N, Sam M, O'Rourke K et al. Stability of treatment preferences: although most preferences do not change, most people change some of their preferences. J Clin Ethics 1997;8 (2):124-35.
- 102 Silverstein MD, Stocking CB, Antel JP. Amyotrophic lateral sclerosis and life-sustaining therapy: patients' desires for information, participation in decision making, and lifesustaining therapy. Mayo Clin Proc 1991;66(9):906-13.
- 103 Patrick DL, Pearlman RA, Starks HE et al. Validation of preferences for life-sustaining treatment: Implications for advance care planning. Ann Intern Med 1997;127(7):509-17.
- 104 Carmel S, Mutran EJ. Stability of elderly persons' expressed preferences regarding the use of life-sustaining treatments. Soc Sci Med 1999;49(3):303-11.
- 105 Danis M, Garrett J, Harris R, Patrick DL. Stability of choices about life-sustaining treatments. Ann Intern Med 1994;120(7): 567-73.
- 106 Connors Jr AF, Dawson NV, Desbiens NA et al. A controlled trial to improve care for seriously ill hospitalized patients: The study to understand prognoses and preferences for outcomes and risks of treatments (SUPPORT). JAMA 1995;274(20): 1591-8.
- 107 Lee MA, Brummel-Smith K, Meyer J, Drew N, London MR. Physician orders for life-sustaining treatment (POLST): outcomes in a PACE program. Program of All-Inclusive Care for the Elderly [see Comment]. J Am Geriatr Soc 2000;48(10): 1219-25.
- 108 Hammes BJ, Rooney BL. Death and end-of-life planning in one midwestern community. Arch Intern Med 1998;158(4): 383-90.
- 109 Tolle SW, Tilden VP, Nelson CA, Dunn PM. A prospective study of the efficacy of the physician order form for life-

- sustaining treatment [see Comment]. J Am Geriatr Soc 1998;46 (9):1097–102.
- 110 Danis M, Southerland LI, Garrett JM et al. A prospective study of advance directives for life-sustaining care [see Comment]. N Engl J Med 1991;324(13):882-8.
- 111 Hanson LC, Tulsky JA, Danis M. Can clinical interventions change care at the end of life? Ann Intern Med 1997;126(5): 381 - 8.
- 112 Molloy DW, Guyatt GH, Russo R et al. Systematic implementation of an advance directive program in nursing homes: a randomized controlled trial [see Comment]. JAMA 2000;283(11):1437-44.
- 113 Goodman MD, Tarnoff M, Slotman GJ. Effect of advance directives on the management of elderly critically ill patients. Crit Care Med 1998;26(4):701-4.
- 114 Caplan GA, Meller A, Squires B, Chan S, Willett W. Advance care planning and hospital in the nursing home. Age Ageing 2006;35(6):581-5.
- 115 Morrison RS, Morrison EW, Glickman DF. Physician reluctance to discuss advance directives. An empiric investigation of potential barriers [see Comment]. Arch Intern Med 1994;154(20):2311-8.
- 116 Davison SN, Simpson C. Hope and advance care planning in patients with end stage renal disease: qualitative interview study [see Comment]. BMJ 2006;333(7574):886.
- 117 Stelter KL, Elliott BA, Bruno CA. Living will completion in older adults [see Comment]. Arch Intern Med 1992;152(5):
- 118 Black K, Fauske J. Exploring influences on community-based case managers' advance care planning practices: facilitators or barriers? Home Health Care Serv Q 2007;26(2):41-58.
- 119 Dexter PR, Wolinsky FD, Gramelspacher GP et al. Effectiveness of computer-generated reminders for increasing discussions about advance directives and completion of advance directive forms. A randomized, controlled trial [see Comment]. Ann Intern Med 1998;128(2):102-10.
- 120 Heffner JE. Outcomes of advance directive education of pulmonary rehabilitation patients. Am J Respir Crit Care Med 1997;155(3):1055-9.
- 121 Heiman H. Improving completion of advance directives in the primary care setting: a randomized controlled trial. Am J Med 2004;117(5):318-24.
- 122 Smucker WD. Elderly outpatients respond favorably to a physician-initiated advance directive discussion. J Am Board Fam Pract 1993;6(5):473-82.
- 123 Jezewski MA, Meeker MA, Schrader M. Voices of oncology nurses: what is needed to assist patients with advance directives. Cancer Nurs 2003;26(2)105-12.
- 124 Perry E, Swartz J, Brown S et al. Peer mentoring: a culturally sensitive approach to end-of-life planning for long-term dialysis patients. Am J Kidney Dis 2005;46(1):111-9.
- 125 van Asselt D. Advance directives: prerequisites and usefulness. [References]: Z Gerontol Geriatr 2006;39(5):371-5.
- 126 U.S. Living Will Registry. 2007; www.uslivingwillregistry.com.
- 127 Wallace J, Desbiens NA. Evaluation of a labeling system to indicate the presence of an advance directive in a hospital medical record. Int J Qual Health Care 2004;16(4):333-5.
- Taylor JS, Heyland DK, Taylor SJ. How advance directives affect hospital resource use. Systematic review of the literature. Can Fam Physician 1999;45:2408-13.

- 129 Emanuel EJ. Cost savings at the end of life. What do the data show? [see Comment]. JAMA 1996;275(24):1907-14.
- 130 Kish Wallace S, Martin CG, Shaw AD, Price KJ. Influence of an advance directive on the initiation of life support technology in critically ill cancer patients [see Comment]. Crit Care Med 2001;29(12):2294-8.
- 131 Kish SK, Martin CG, Price KJ. Advance directives in critically ill cancer patients. Crit Care Nurs Clin North Am 2000;12(3):
- 132 Swartz R, Perry E, Daley J. The frequency of withdrawal from acute care is impacted by severe acute renal failure. J Palliat Med 2004;7(5):676-82.
- 133 Patrick DL, Beresford SAA, Ehreth J et al. Interpreting excess mortality in a prevention trial for older adults. *Int I* Epidemiol 1995;24(Suppl.1):S27-33.
- 134 Prochaska J. Strong and weak principles for progressing from precontemplation to action on the basis of twelve problem behaviours. Health Psychol 1994;(13):47-51.
- 135 Houlihan G. The evaluation of the 'stages of change' model for use in counselling clients undergoing predictive testing for Huntington's disease. J Adv Nurs 1999;29(5):1137–43.
- 136 Rodriguez KL, Young AJ. Perspectives of elderly veterans regarding communication with medical providers about endof-life care. J Palliat Med 2005;8(3):534-44.
- 137 Schiff R LM, Shaw M, Rajkumar C, Bulpitt CJ. Tool for the expression of healthcare preferences (EHP). Age & Ageing 2005; (34):ii24-6.
- 138 Molloy DW MV. Let Me Decide, 2nd edn. Hamilton, Ontario: McMaster University Press, 1990.
- 139 Emanuel LL EE. The Medical Directive: a new comprehensive advance care document. JAMA 1989;(261):3288-93.

Appendix 1. Guideline development process

Scope and purpose

Overall objective of the guidelines

The objective of the Guideline Development Group was to inform health and social care

professionals on how best to manage ACP in clinical practice.

The patient group covered

The guidelines focus on adults, with particular emphasis on older people. Relevant evidence from all countries will be considered, but the guidelines will reflect the legal situation in England and Wales. ADRTs relating to psychiatric treatment would be excluded, as would any papers concerning

minors (<18 years old).

Target audience All clinicians, including general physicians, GPs and other health and social care

professionals.

Clinical areas/ questions covered

Attitudes

1 Is the general public in favour of ACP?

2 What are the attitudes of healthcare professionals towards ACP?

3 How often do individuals change their minds about ACP?

4 Does ACP increase mortality?

5 Does ACP deny access to appropriate healthcare?

6 How can uptake of ACP be improved?

Communication

7 When should ACP discussion take place?

8 Where should ACP discussion take place?

9 What are the best methods for communicating about ACPs with individuals?

10 What is the optimal method for communicating about ACP within families?

11 What are the optimal methods for ensuring that ACPs are available at the point of care, especially in emergency settings?

12 What are the optimal methods to ensure ACP documents are noted in healthcare records and are available to healthcare practitioners seeing the patient for the first time?

Content

13 Should people preparing ACP documents use values statements or be more specific in their guidance?

14 Do patients change their healthcare decision in a given situation?

15 How often should advance care planning decisions/statements be reviewed?

16 How recent does an ACP document need to be in order to remain valid?

Demand

17 How many individuals have completed advance care plans in England and Wales? How does this compare internationally?

18 Who is using ACP?

19 Who does not use ACP and why not?

Healthcare proxies

20 Do LPAs influence care?

21 What is the concordance between surrogates and patients?

22 How accurate are substitute judgements in ACP?

Outcomes

23 Can ACP improve healthcare choices?

24 Does ACP affect satisfaction with healthcare?

25 Can ACP improve the quality of end-of-life care?

26 What are the costs of an ACP programme?

27 What additional benefits do ACP discussions offer apart from directing care?

Continued overleaf

Role of healthcare professionals

28 Which healthcare professionals should be involved in ACP?

Training

29 What are the training needs of healthcare professionals, including care home sector staff? 30 What are the optimal methods for delivering ACP training and awareness to healthcare professionals?

31 What is known about ACP in people with dementia?

Stakeholder involvement

The Guideline **Development Group**

The guideline committee was made up of various stakeholders, including strong lay representation, general practice and other clinicians. Organisations represented on guideline committee included the British Geriatrics Society, the Faculty of Old Age Psychiatry, Royal College of Psychiatrists, the Royal College of General Practitioners, the National Council for Palliative Care and the Royal College of Nursing. Additional input was given by palliative care physicians.

Users were represented through the involvement of Alzheimer's Society, Age Concern, Help the Aged and the patient representative panel of the Royal College of Physicians.

Funding These guidelines were commissioned by the Clinical Practice and Evaluation Committee of the British Geriatrics Society. Funding was obtained from the British Geriatrics Society.

Conflicts of interest No external funding has been sought or obtained. All authors and group members have declared that they have no actual or potential conflicts of interest.

Rigour of development

Evidence gathering

The following databases were searched: Ovid Medline (1966+), Embase (1980+), PsychInfo (1967+), BNI (1985+), HMIC (July 2006), CINAHL (1982+), AMED (1985+).

The systematic review consisted of two phases. The first phase (scoping exercise) identified evidence from sources least susceptible to bias. A comprehensive search strategy was used to identify all eligible randomised controlled trials, previous systematic reviews, and existing evidence-based guidelines. The second phase searched for evidence from studies more prone to bias (cohort studies, case-control studies and where relevant, surveys).

Where evidence was lacking for a specific question, additional sources were examined including case reports, literature reviews, and evidence from expert opinion or consensus. Special attention was given to non-research publications, such as government reports, including the Mental Capacity Act and the accompanying Code of Practice.

Scoping exercise

Grading of evidence during the scoping exercise followed the principles used by the Scottish Intercollegiate Guideline Network (SIGN) and the National Institute of Clinical Excellence (NICE).

The reviewers felt that the SIGN appraisal tool did not lend itself well to the papers being examined, and following external consultation the guideline development committee agreed to change to using the appraisal tool developed for use in the NSF for Long Term Conditions.5

Link between evidence and recommendations

A set of key questions to help guide the literature search were identified by the guideline development group and these were incorporated into the search criteria along with the generic search terms. Evidence-based summary statements were derived from the literature and used to develop the guidelines at a series of consensus meetings.

Piloting and peer review

The Clinical Effectiveness and Evaluation Unit of the Royal College of Physicians reviewed the methodology and reviewed the final guidance prior to publication. All stakeholder organisations were asked to ratify and co-badge the final guidelines.

Formal external reviews were obtained from Professor Jane Seymour (Nottingham), Professor Peter Bartlett (Nottingham) and Professor Gideon Caplan (New South Wales, Australia).

Appendix 2. Grading system used to indicate the level of evidence.

Grade of evidence	Criteria		
Research Grade A (RA)	• More than one study of high quality score (≥7/10) and		
	at least one of these has direct applicability		
Research Grade B (RB)	One high quality study <i>or</i>		
	 more than one medium quality study (4–6/10) and 		
	 at least one of these has direct applicability 		
	Or		
	• More than one study of high quality score (≥7/10) of indirect applicability		
Research Grade C (RC)	• One medium quality study (4–6/10) <i>or</i>		
	• lower quality (2–3/10) studies <i>or</i>		
	indirect studies only		
Expert (E1/2)	Guidelines can also or instead be graded as E1 or E2, reflecting expert evid		

(E1 = user/carer derived evidence, E2 = expert body/professional evidence)