





CHECKLIST for IMCA INSTRUCTION

Independent Mental Capacity Advocate Service

When to instruct an IMCA for a patient with regard to Serious Medical Treatment decisions

Some patients (aged 16+) have a right under the Mental Capacity Act to the support and representation of an Independent Mental Capacity Advocate

	A decision needs to be made about serious medical treatment	<p>Serious medical treatment can be providing treatment, stopping treatment already being provided or deciding not to start treatment that could be offered and <u>one or more</u> of the following apply:</p> <ul style="list-style-type: none"> • Where a single treatment is proposed, there is a fine balance between the benefits, burdens and risks to the patient • Where there is a choice of treatments, a decision as to which one to use is finely balanced • What is involved is likely to have serious consequences for the patient <p><i>For more information see MCA Code of Practice 10.42</i></p>
	The patient has an impairment, disability or illness which is affecting their ability to make the decision	For example, dementia, a brain injury or learning disability. It can also be a temporary condition such as unconsciousness or a person who is under the influence of alcohol or drugs.
	The patient lacks capacity to make the specific decision at the time it needs to be made	Patients should be supported to make the decision, for example, by simplifying information about a particular procedure. If after this support is given there are reasons to believe the patient may lack capacity to make the particular decision, an assessment of their capacity should be done.
	There are no family or friends who can be appropriately involved in discussions about the decision	IMCA is primarily intended for people who have nobody who can be consulted about the decision. However, if there <i>are</i> family and friends but they have limited contact with the patient or know little about their wishes and views or do not want to be involved in the decision making process, a referral to IMCA should be made.

**4 ticks means there's a duty to instruct an IMCA for the patient.
Emergency treatment should not be delayed.**

The local IMCA service details are below

This checklist is part of the Action for Advocacy Involving IMCAs in Serious Medical Treatment Decisions guidance. Further copies can be obtained from www.actionforadvocacy.org.uk or telephone 0207 921 4395
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**IMCA Service (Devon & Torbay) Age UK Devon,
Unit 1 Manaton Court, Matford Business Park, Exeter EX2 8PF
Tel: 0845 231 1900 Fax 01392 829594**