

Urteilsfähigkeit: Ethische Relevanz, konzeptuelle Herausforderung und ärztliche Beurteilung

Capacité de discernement: Signification éthique, défi conceptuel et appréciation médicale

Literatur / Références

- 1 Buchanan AE, Brock DW. Deciding for others: The ethics of surrogate decision making. Cambridge: Cambridge University Press; 1989.
- 2 Grisso T, Appelbaum PS. Assessing competence to consent to treatment: A guide for physicians and other health professionals. New York: Oxford University Press; 1998.
- 3 SAMW, editor. Betreuung von Patientinnen und Patienten am Lebensende. Medizin-ethische Richtlinien. 5 ed. 2013.
- 4 Charland LC. Is Mr. Spock mentally competent? Competence to consent and emotion. Philosophy, Psychiatry, Psychology. 1998;5:67–81.
- 5 Damasio AR. Descartes' error: Emotion, reason, and the human brain. New York: Penguin Books; 1994.
- 6 Kim SYH. Evaluation of capacity to consent to treatment and research. Oxford: Oxford University Press; 2010.
- 7 Okai D, Owen G, McGuire H, Swaran S, Churchill R, Hotopf M. Mental capacity in psychiatric patients: Systematic review. The British Journal of Psychiatry. 2007;191:291–7.
- 8 Carpenter WT. Decisional capacity for informed consent in schizophrenia research. Archives of General Psychiatry. 2000;57:533–8.
- 9 Dunn LB, Lindamer LA, Palmer BW, Golshan S, Schneiderman LJ, Jeste DV. Improving understanding of research consent in middle-aged and elderly patients with psychotic disorders. American Journal of Geriatric Psych. 2002;10:142.
- 10 Lee DR, Taylor JP, Thomas A. Assessment of cognitive fluctuation in dementia: A systematic review of the literature. International Journal of Geriatric Psychiatry. 2012;10:989–9.
- 11 Wilks I. The debate over risk-related standards of competence. Bioethics. 1997;11:413–26.
- 12 Wicclair MR. The continuing debate over risk-related standards of competence. Bioethics. 1999;13:149–53.
- 13 Culver CM, Gert B. The inadequacy of competence. Milbank Quarterly. 1990;68:619–43.
- 14 Wicclair MR. Patient decision-making capacity and risk. Bioethics. 1991;5:91–104.
- 15 Wilks I. Asymmetrical competence. Bioethics. 1999;13:154–9.
- 16 Cale GS. Risk-related standards of competence: Continuing the debate over risk-related standards of competence. Bioethics. 1999;13:131–48.
- 17 American Bar Association/American Psychological Association, editor. Assessment of Older Adults With Diminished Capacity: A Handbook for Psychologists. 2008.
- 18 Palmer BW, Savla GN. The association of specific neuropsychological deficits with capacity to consent to research or treatment. Journal of the International Neuropsychological Society. 2007;13:1047–59.
- 19 Weithorn LA, Campbell SB. The competency of children and adolescents to make informed treatment decisions. Child Dev. 1982;53:1589–98.
- 20 Kim SYH, Karlawish JHT, Caine ED. Current state of research on decision-making competence of cognitively impaired elderly persons. American Journal of Geriatric Psych. 2002;10:151.
- 21 Okonkwo OC, Griffith HR, Belue K, Lanza S, Zamrini EY, Harrell LE, Brockington JC, Clark D, Raman R, Marson DC. Cognitive models of medical decision-making capacity in patients with mild cognitive impairment. J Int Neuropsychol Soc. 2008;14:297–308.
- 22 Dunn LB, Palmer BW, Appelbaum PS, Saks ER, Aarons GA, Jeste DV. Prevalence and correlates of adequate performance on a measure of abilities related to decisional capacity: Differences among three standards for the Mac-CAT-CR in patients with schizophrenia. Schizophrenia Research. 2007;89:110–8.
- 23 Lapid MI. Decisional capacity of severely depressed patients requiring electroconvulsive therapy. The Journal of ECT. 2003;19:67–72.
- 24 Vollmann J, Bauer A, Danker-Hopfe H. Competence of mentally ill patients: A comparative empirical study. Psychological Medicine. 2003;33:1463–71.
- 25 Adamis D, Martin FC, Treloar A, Macdonald AJD. Capacity, consent, and selection bias in a study of delirium. J Med Ethics. BMJ Publishing Group; 2005;31:137–43.
- 26 Misra S, Socherman R, Park BS, Hauser P. Influence of mood state on capacity to consent to research in patients with bipolar disorder. Bipolar Disorders. 2008;10:303–9.
- 27 Triebel KL, Martin RC, Novack TA, Dreer L, Turner C, Pritchard PR, Raman R, Marson DC. Treatment consent capacity in patients with traumatic brain injury across a range of injury severity. Neurology. 2012;78:1472–8.

- 28 Fisher C, Cea C, Davidson P, Fried A. Capacity of persons with mental retardation to consent to participate in randomized clinical trials. *American Journal of Psychiatry*. American Psychiatric Association; 2006;163:1813–20.
- 29 Martin RC, Okonkwo OC, Hill J, Griffith HR, Triebel K, Bartolucci A, Nicholas AP, Watts RL, Stover N, Harrell LE, Clark D, Marson DC. Medical decision-making capacity in cognitively impaired Parkinson's disease patients without dementia. *Mov. Disord*. 2008;23:1867–74.
- 30 Triebel KL, Martin RC, Nabors LB, Marson DC. Medical decision-making capacity in patients with malignant glioma. *Neurology*. 2009;73:2086–92.
- 31 Wong JG, Clare I, Holland AJ. The capacity of people with a "mental disability" to make a health care decision. *Psychological Medicine*. 2000;30:295–306.
- 32 Raymont V, Bingley W, Buchanan A, David AS, Hayward P, Wessely S, Hotopf M. Prevalence of mental incapacity in medical inpatients and associated risk factors: Cross-sectional study. *Lancet*. 2004;61:1421–7.
- 33 Grisso T, Appelbaum PS. *MacArthur Competence Assessment Tool for Treatment (MacCAT-T)*. Sarasota, FL: Professional Resource Press; 1998.
- 34 Folstein MF, Folstein SE, McHugh PR. "Mini-mental state." A practical method for grading the cognitive state of patients for the clinician. *Journal of Psychiatry Research*. 1975 Apr 11;12:189–98.
- 35 Etchells E, Katz MR, Shuchman M, Wong G, Workman S, Choudhry NK, Craven J, Singer PA. Accuracy of clinical impressions and Mini-Mental State Exam scores for assessing capacity to consent to major medical treatment. Comparison with criterion-standard psychiatric assessments. *Psychosomatics*. 1997;38:239–45.
- 36 Pruchno RA, Smyer MA, Rose MS, Hartman-Stein PE, Henderson-Larabee DL. Competence of long-term care residents to participate in decisions about their medical care: A brief, objective assessment. *The Gerontologist*. 1995;35:622–9.
- 37 Kim SYH, Caine ED. Utility and limits of the Mini Mental State Examination in evaluating consent capacity in Alzheimer's Disease. *Psychiatr Serv*. American Psychiatric Association; 2002;53:1322–4.