



TITLE:	INCAPACITATED RESIDENT	POLICY 5.02
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Authority: RCW 11.88.010
RCW 70.129
WAC 388-78A-2600

PURPOSE:

Describes the facility policy concerning incapacitated residents.

SCOPE:

All employees.

POLICY:

We recognize changes in residents and strive to ensure residents' safety and rights are respected.

A determination of incapacity is a legal decision, not a medical decision. The determination is based on a demonstrated inability to manage person or estate over time. Age, eccentricity, poverty, or medical diagnoses alone shall not be sufficient to justify a finding of incapacity.

A person may be deemed incapacitated as to his or her person by the Superior Court of the State of Washington when they present a significant risk of personal harm based on a demonstrated inability to adequately provide for nutrition, health, housing, or physical safety.

A person may be deemed incapacitated as to his or her estate by the Superior Court of the State of Washington when the individual demonstrates a significant risk of financial harm based on a demonstrated inability to adequately manage property or financial affairs.

PROCEDURE:

For the purposes of giving informed consent in this facility, an incompetent person is:

Incompetent by reason of senility, habitual drunkenness, or other mental incapacity, of either managing his or her property or caring for self or both.



Trouves Health Care

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EXCEPTIONS:

No exceptions to this policy may be granted without the prior written approval of the Director.

SUPERCEDES:

None