

Competency Assessment Checklist for Enduring Power of Attorney

Patient name: _____ DOB: _____
Date: _____ Assessor: _____

1. Pre-Assessment

- Ensure patient is alert, not acutely delirious or intoxicated
- Conduct interview privately (reduce undue influence)
- Explain the purpose of the assessment

2. Four Core Abilities - Understanding

- "Can you tell me in your own words what an Enduring Power of Attorney allows you to do?"
- "What sort of decisions could your attorney make for you?"

Notes: _____

2. Four Core Abilities - Appreciation

- "Why do you think you might need someone to make decisions for you in the future?"
- "In what situations might your attorney need to act for you?"

Notes: _____

2. Four Core Abilities - Reasoning

- "How did you decide on this particular person as your attorney?"
- "What qualities make them a good choice?"
- "Are there any risks or downsides in choosing this person?"

Notes: _____

2. Four Core Abilities - Communication of a Clear Choice

- "Who do you want to appoint as your attorney?"
- Re-check for consistency later in the conversation

Notes: _____

3. Additional Safeguards

- Asked privately if patient felt pressured
- Screened cognition if indicated (MMSE / MoCA)
- No acute delirium, psychosis, or severe depression influencing decision

4. Summary

- Patient demonstrates all four abilities → Competent for EPOA
- Patient lacks one or more abilities → Not competent for EPOA at this time

Clinical Impression: _____

Signature: _____ Date: _____