

Beyond All or Nothing: Capacity, Consent & the Limits of Proxy Decision-Making in Alzheimer's Disease

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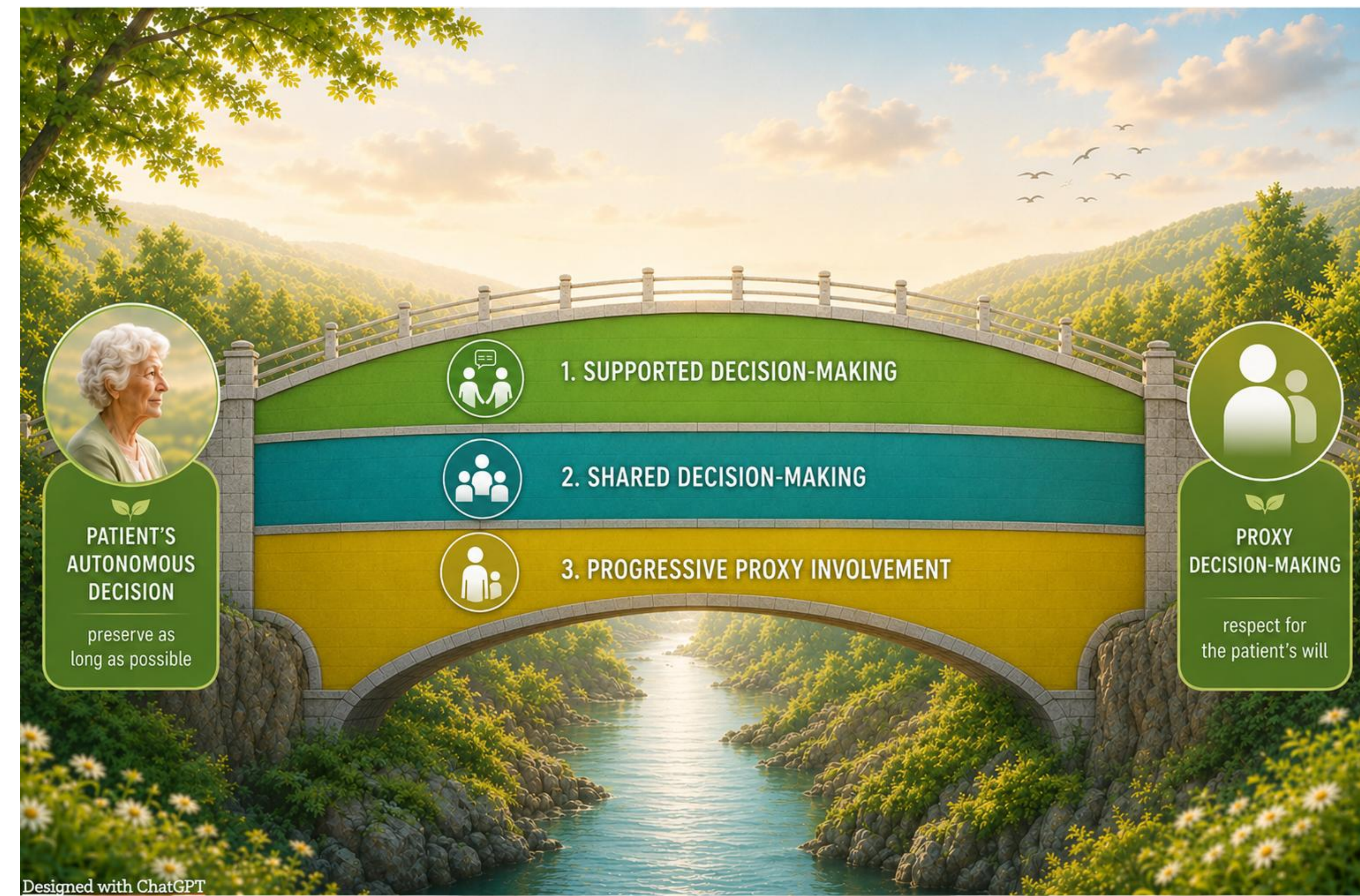
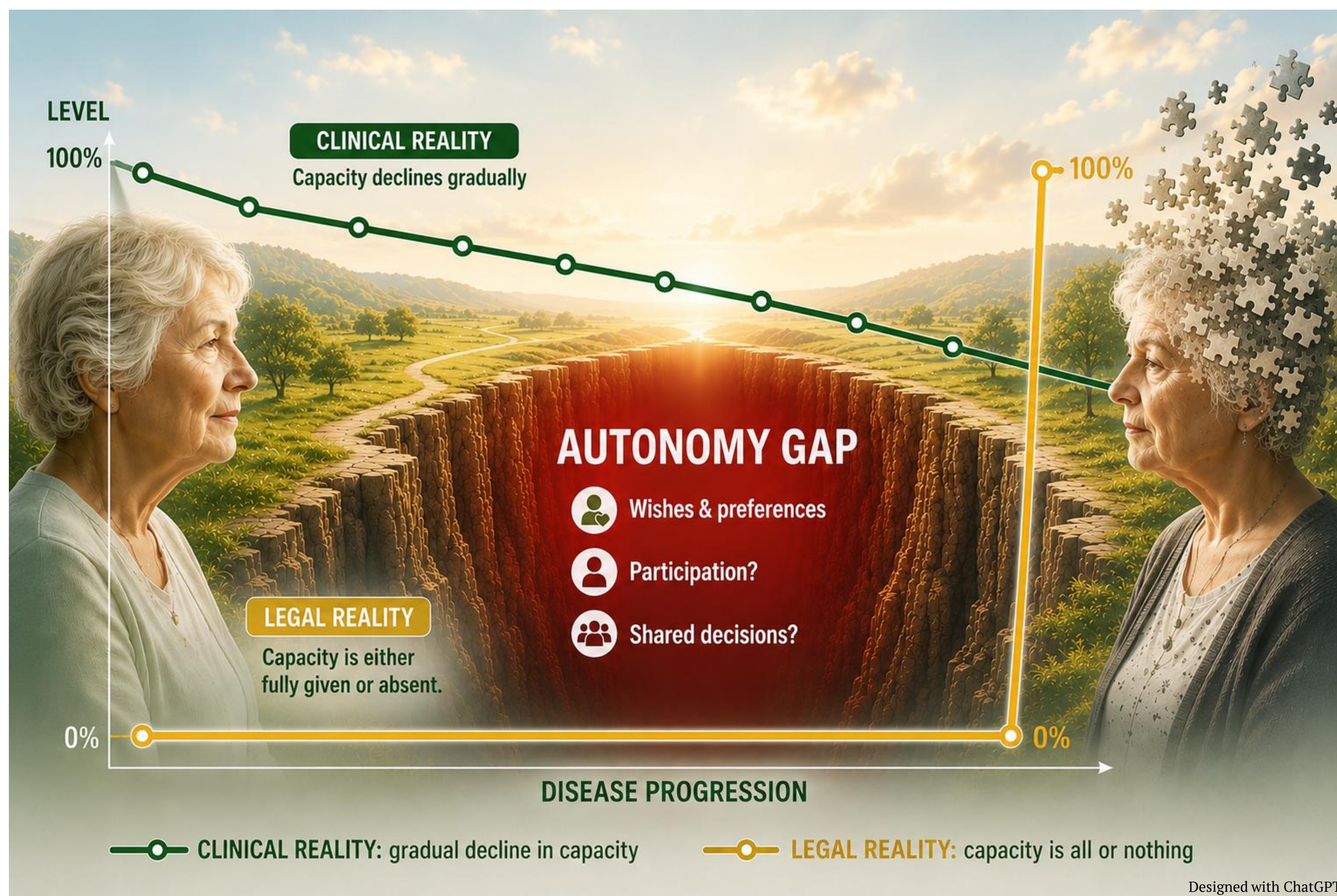
BACKGROUND

- Informed consent requires decision-making capacity.
- AD causes progressive but heterogeneous loss of capacity.
- Most legal systems operate with an "all-or-nothing" approach.
- Clinical reality is often gradual rather than dichotomous.

➔ A gap between the legal frame and everyday clinical practice occurs.

RESEARCH QUESTIONS & METHOD

- ? How can patient autonomy be preserved as long as possible?
 - ? How can proxy involvement increase gradually rather than abruptly?
 - ? How can prior wishes and current preferences be reconciled?
- 🔍 Analysis and comparison of European and American jurisdictions.



RESULTS

Most legal regimes lack:

- clear criteria for determining capacity to consent,
- specific rules on mutual decision-making,
- gradual assumption of decision-making powers.

➔ Significant uncertainty in clinical practice



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Learn more about the
PreTAD project:

CONCLUSION

- ✓ Involve the patient even as the disease progresses.
- ✓ Respect the patient's wishes despite limited capacity.
- ✓ Recognize conflicts between the patient's will and the proxy's decision.
- ✓ Investigate their causes and reaching an agreement through dialogue.