



Deprivation of Liberty Assessments

Clinical and Prescribing

There is considerable confusion on what is required of a GP when Social Services are faced with a patient whose mental functions may be called into question

There are numerous forms required for a DoLS authorisation, three of which could potentially be completed by a GP:

- Form 9 - Mental Health Assessment - This must be completed by a doctor but should not be completed by a GP unless he/she has done further training.
- Form 6 - Eligibility assessment - requires Section 12 approval. This could be the GP if he/she has this approval. It can also be done by Approved Mental Health Practitioners - AMP)
- Form 7 - Capacity assessment – This could be completed by a GP but also by an AMP or Trained Best Interests Assessor

It follows that only the capacity assessment could generally be done by a GP.

It is useful when requested to complete Form 7 and assess capacity to ask 'Capacity for what?'. As there is no such thing as a general lack of capacity – it needs to be decision specific. It is also important to remember that capacity can also vary with time,

These patients are often anxious and find discussing their circumstances distressing. A doctor (not a GP unless trained) will have to see them for Form 9. The kind and reasonable thing to do is for this doctor to complete an eligibility and or capacity assessment at the same time if required.

The LMC would advise that the completion of these forms is a serious matter and should not be performed without appropriate assessment, so you must make sure you have set aside sufficient time for this to take place and apply proper professional standards. As with all collaborative fees it is up to the doctor to set a fee that properly reflects the nature of the task, and the time taken, and the level of responsibility involved. The fee is not set by the person or body requesting the work. It is also important to ensure that this administrative task does not detract from the time available to care for other patients. There is no contractual obligation on doctors to undertake this work.

Any assessment carried out by a GP should be resourced under the Collaborative Fees arrangements and it is for the doctor to set his/her reasonable fee bearing in mind the previous paragraph. The fee should be agreed with the payer prior to carrying out the work. An invoice should be submitted to NHS England in the first instance who may direct it to the CCG.



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