

Hoarding Behavior -- Correlates of Neuro-Psychiatric Syndromes and the Impact on Legal Capacity Assessment"

Harry E. Morgan, MD  
September, 2019

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### Assessing Real Risk

- Protective Service Referral
- 83 y/o single man living in 3<sup>rd</sup> floor walk up
- Urban residential neighborhood
- His home of 60 years
- Poor Short-term memory
- Marginal hygiene, much clutter
- Meals at Centers – Can he find his way?
- He won't move

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### Protecting the Incapable

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- Eastern European Heritage
- Lives alone and collects clothing to be used for donations
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- Fire Hazards of boxes-All rooms
- Court order to clear the House
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### How Much is Too Much?

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### Hill Full

- 68 y/o single man living in a broken-down trailer
- On 6 acres in the woods
- One hundred yards of "belongings" strewn into his woods
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### Types of Hoarding

- Sudden onset
- Life-long
- Progressive

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### Characteristics of Hoarding

- Organized vs. Disorganized
- Hygienic vs. Contaminated
- Risk vs. Safe
- Visible vs. Hidden

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### “Fluid Dynamics”

- Inflow—Dynamics of Acquisition
- Management of Reservoir of Belongings
  - Sorting, Organizing, Prioritizing
- Discarding—Mechanics and Impediments

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### Etiology

- Psychological
  - Tolan, Steketee, Frost
- Neuroanatomic
  - Biologic Imaging
- Role of Co-existent Psychiatric Illness

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### Psychology (Frost,Steketee)

- Role of:
  - Information processing deficits
  - Excess emotional attachments to objects
  - Behavioral Avoidance
  - Distorted Beliefs re: importance of possessions
- Over acquisition
- Inability to discard

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### Psychiatric Issues - 1

- OCD (Control- Rigidity) [SSRI,SNRI]
- Attentional deficit (organization) [psychostimulants]
- Mood Disorders:
  - Depression (Anergy) [SSRI,SNRI]
  - Mania (Acquisition) [Lithium, Depakote, Lamictal]
- Schizophrenia (Disturbed Order) [Neuroleptic]

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### Psychiatric Issues - 2

- Chemical dependence or Abuse
- Medical issues
- Life Change Events

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### Aging Issues

- Health
- Cognitive for some
  - Dementia can lead to:
    - Loss of Executive Function
    - Forgetfulness
    - Loss of abstract thinking
- Isolation for some
- Financial Issues

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### Diseases of The Brain

- Stages of Each Disorder (Mild-Moderate-Severe)
- Many etiologies with unique differences
  - Strengths
  - Deficits
- Situational Demands for levels of Capability

National Institute on the Prosecution of Elder Abuse 14

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### Mild Cognitive Impairment

- Measurable change but—
- Able to lead generally normal life
- Despite subjective awareness of change
- Generally still capable legally

May be vulnerable to abuse and exploitation

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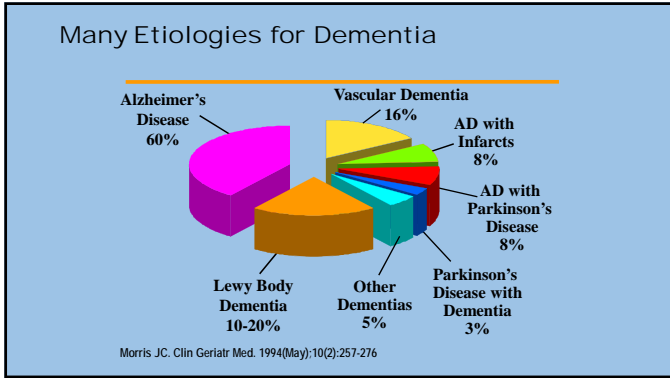
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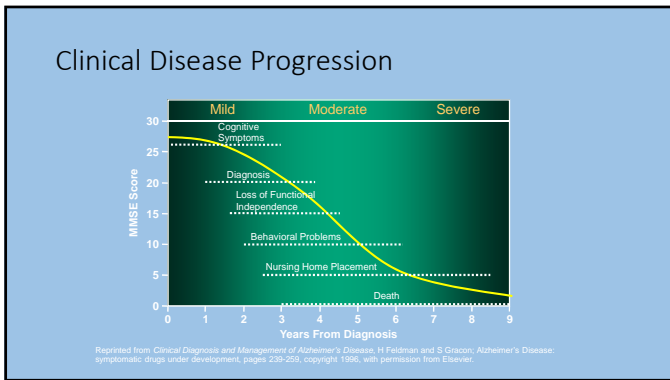
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### Vascular Dementia- I

- Microvascular disease
- Similar to Alzheimer's course
- More Fronto-executive deficits

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### Vascular Dementia- II

- “Post-stroke”
- Multi-infarct (strokes)
- Deficits map on injury
- “Spotty”

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### LEWY BODY DEMENTIA

- Variable, Fluctuating Course
- Progressive disease
- Vivid Hallucinations
- Neuroleptic (antipsychotic) sensitive

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### Fronto-Temporal Dementia

- Old term: Pick's Disease
  - Now as array of “Frontal” illnesses
  - Deficits of Judgment and Mood occur before severe memory loss
- Many Behavioral symptoms

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Delirium

- Fluctuating
- Product of illness
- “Treatable”
- May co-exist with Dementia

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Mixed Disorders

- More than one dementia
- Dementia plus Depression
- Dementia plus Psychosis

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Danger

- Hygiene
- Neglect
- Infection
- Falls
- Fire
- Financial
- Family

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Dangerousness—Capacity—Treatability

- \*\*\*\*\*
- Intervention
- Intrusive
- Collaborative
- None (Safety Net)

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Intrusions to Decisional Freedom

- POA
- Voluntary Conservator
- Involuntary Conservator

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**Capacity**

- Capacity is task specific, not global
- Enter into contract
- Make a gift
- Manage finances
- Engage in complex planning and execution of steps
- Personal care

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## Capacity

• **Mental capacity includes ability to:**

- Think clearly
- Recall accurately
- Organize thoughts
- Express thoughts through communication
- Plan and execute actions



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## Capacity

- Capacity can fluctuate
  - Medical condition, illness
  - Medication
  - Time of day
  - Events in a person's life, e.g., grief, loneliness
- Experience and education may be relevant
  - Literacy and extent of education may related to ability to understand complex financial transactions
- Language capacity may be relevant to ability to understand

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## Executive Function

- Ability to plan, consider and evaluate steps and alternatives, and carry out a plan
- Critical in financial transactions
- Person can have deficits in executive function without having typical dementia or memory impairment (Dyer et al)
- Requires alertness and attention
- Ability to process information
- Ability to modulate mood and affect

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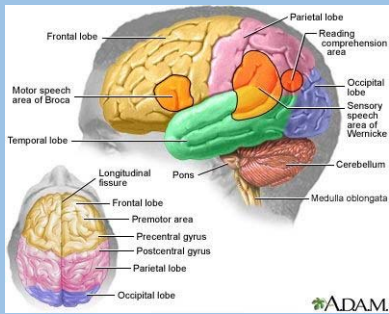
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The Brain-Anatomy




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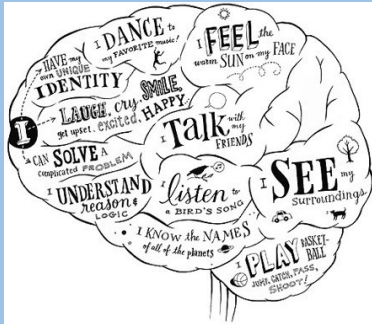
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The Brain - Function




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Domains of Cognitive Function

- Alertness, Attention, Orientation
- Speech, Language – expressive, receptive
- Memory – Short vs. Long term
- Numerical, Arithmetic
- Sensory, Motor – apraxia
- Executive function – Initiation, sequencing, perseverating, organizing,
- Judgment

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Common testing options:  
Screening-1

- Clinical Interview
  - Mini-Mental Status Examination (Folstein) Portable and Universal  
BUT State dependent and nonspecific
  - St. Louis Univ. Mental Status (SLUMS)
  - Montreal Cognitive Assessment (MOCA)
- Clock drawing – Spatial, organizational, abstraction, executive function

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Narrative Interview

- The Cooperative Participant
- The Reluctant Participant
- The Impaired Participant

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“No Place Like Home”

- Value of a home visit
  - Health and Safety
  - Who resides at location
  - Organized vs. disorganized
  - Strengths
  - Insights for intervention



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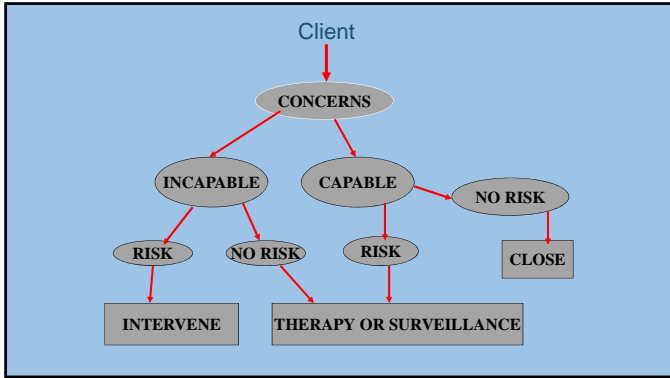
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Probate Process

- Application
- Examination
- PC-370
- Court Appointed Attorney Representation
- Probate Hearing
- Least Restrictive Intervention

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