Reviewer's report

Title: Decision-making capacity and communication about care of older people during their last three months of life.

Version: 1 Date: 28 August 2012

Reviewer: Sophie Pautex

Reviewer's report:

The study raises the important topic of the decision making capacity at the end-of-life and the topic of satisfaction of care of the proxies. The questions posed by the authors are well defined.

The title and abstract accurately convey what has been found.

Concerning the methods, the assessment tools are very briefly described. In particular it's difficult to understand how care according to patient preferences was really assessed. There is only a very short description of the statistics. The delay between the death of the patients (sometimes >3 years) can make interpretation of some results difficult, even if this point is raised in the limitation. The combination of both cohorts, described as a strength make the interpretation of the tables difficult as the number of patients is different in each table.

It would have been interesting to have more details about the additional value of the ADS described by the proxies. It would also be interesting to have more details about the circumstances of death of the patients: how many euthanasia for example? Because that could have an influence on the results.

In table 1: the sum of the different categories is 165?

The writing is acceptable.

Level of interest: An article of importance in its field

Quality of written English: Acceptable

Statistical review: Yes, but I do not feel adequately qualified to assess the statistics.

Declaration of competing interests:

I declare that I have no competing interests' below.