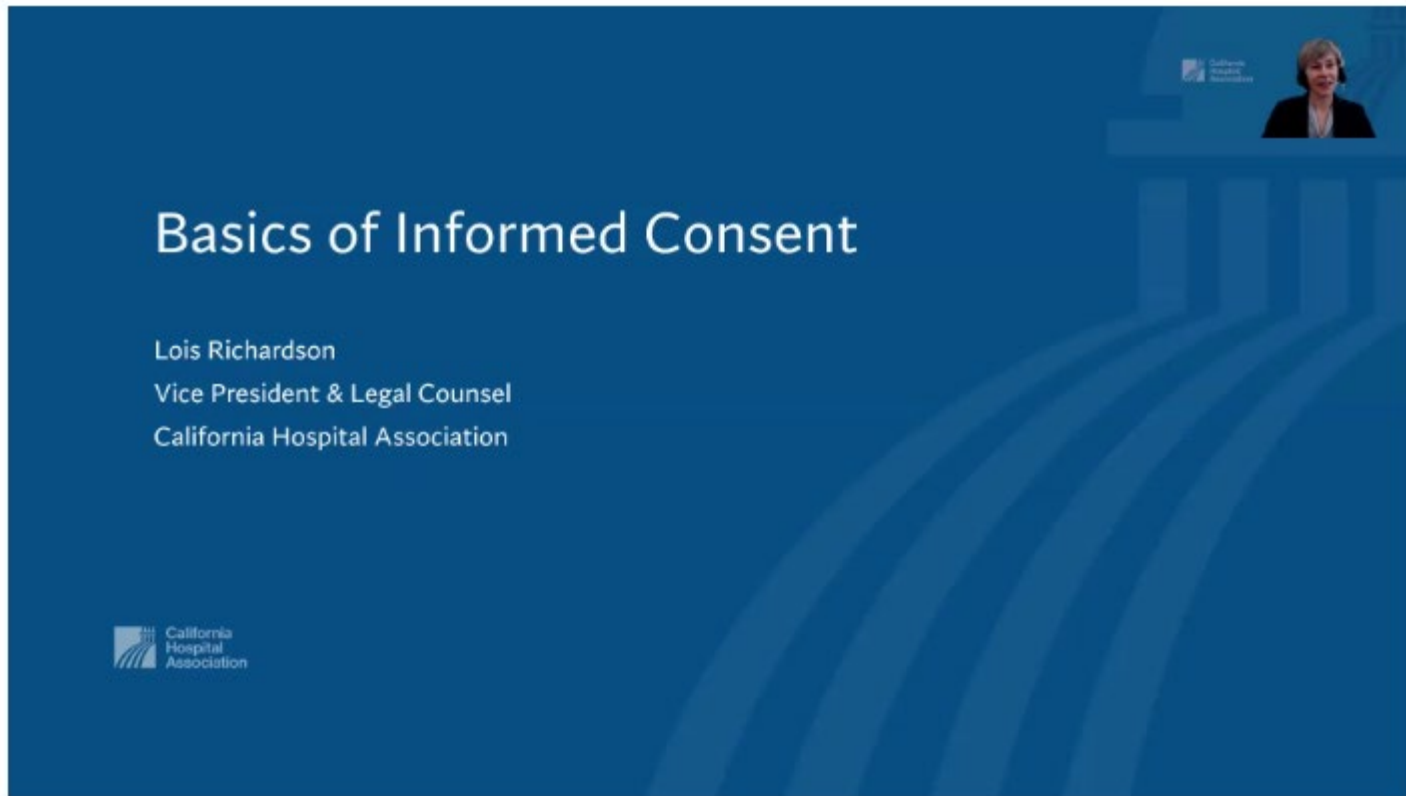


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Brief Basics of Consent

Basics of Informed Consent

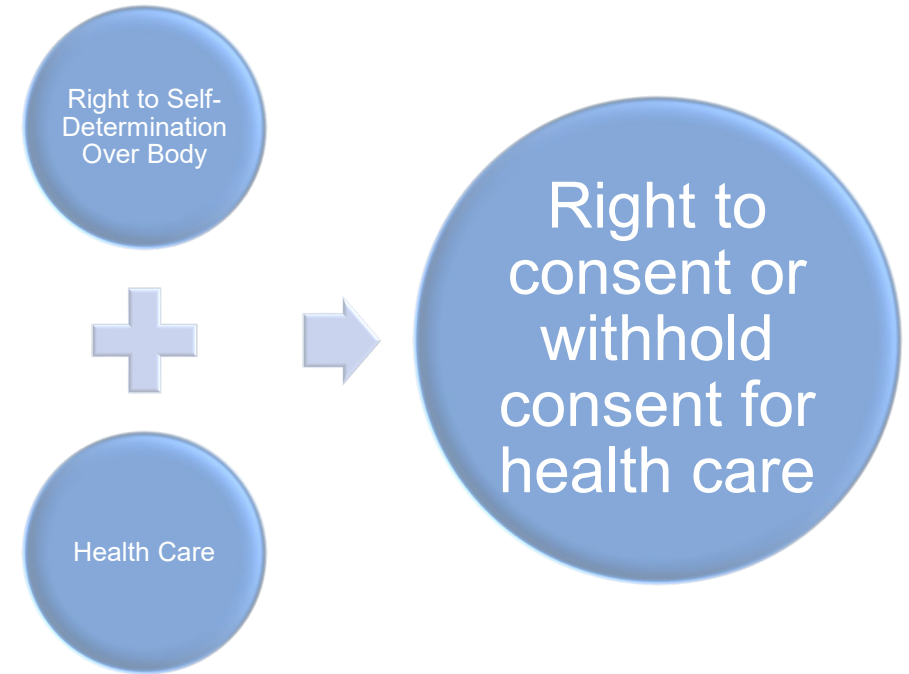


Check out CHA's Basics of Informed Consent Presentation ON DEMAND:

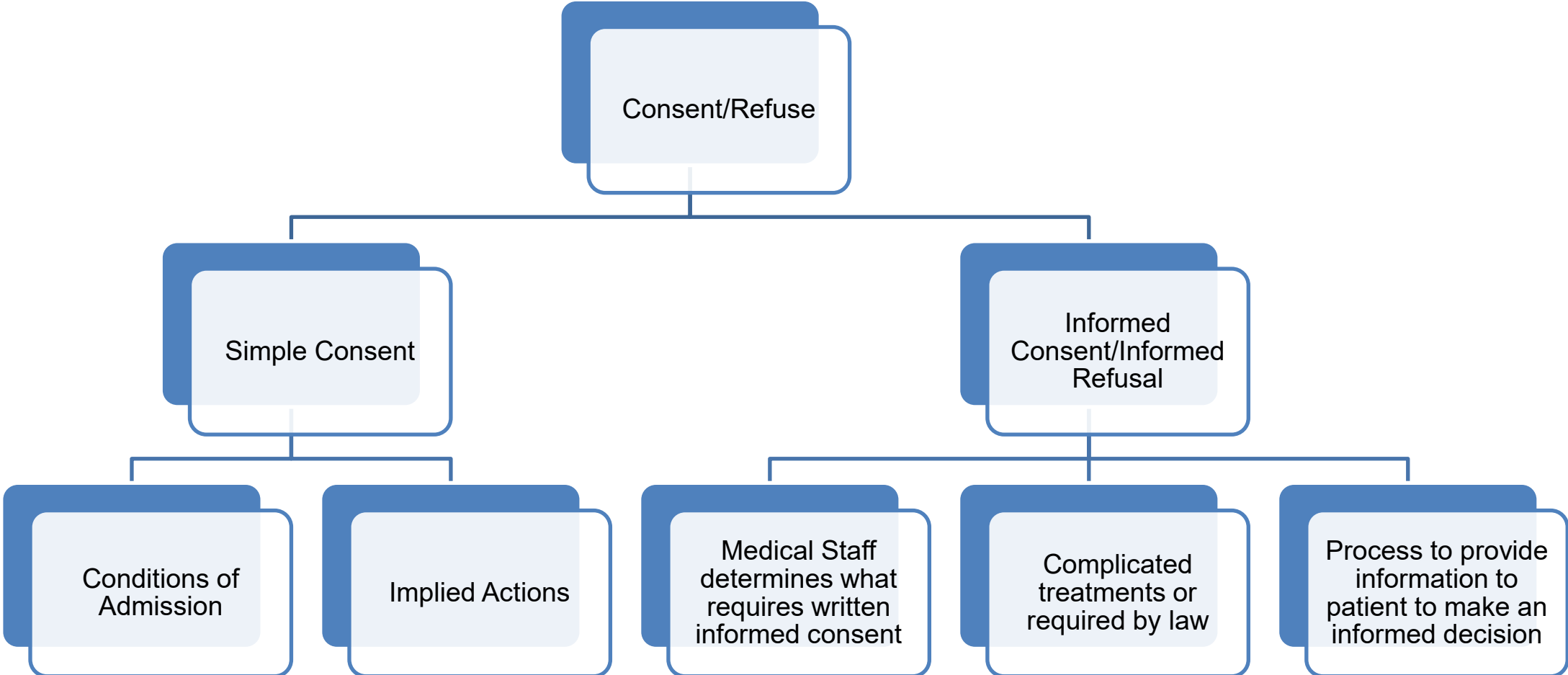
[Basics of Informed Consent - California Hospital Association](#)

Foundation of Consent

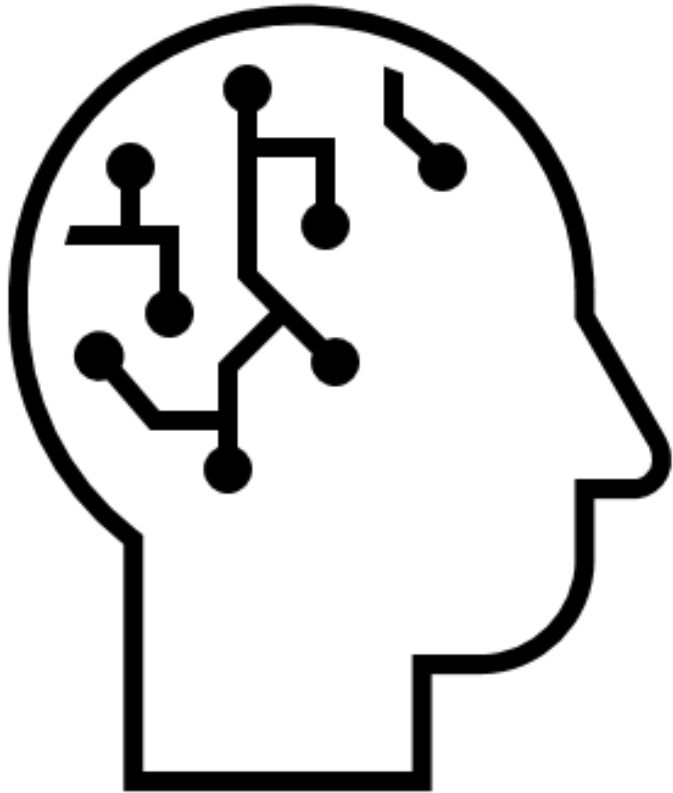
1. Every competent adult has a fundamental right of self-determination over their body.
2. A person unable to exercise this right (an incompetent adult or minor*) has the right to be represented by another person.



Right to Consent



Process v. Writing



- Sterilization (22 CCR § 70707.1)
- Hysterectomy (22 CCR § 70707.5)
- Surgical Services (42 CFR 482.51(b)(2))
- *Medical Records – SOM, 42 CFR 482.24(c)(4)(v)

Emergencies

A licensee shall not be liable for civil damages based on a failure to inform in an ***emergency situation*** where the failure to inform is caused by any of the following:

1. Patient was unconscious.
2. The medical procedure was undertaken without the consent of the patient because the licensee reasonably believed that a medical procedure should be undertaken immediately and there was insufficient time to fully inform the patient.
3. A medical procedure was performed on a person legally incapable of giving consent, and the licensee reasonably believed that a medical procedure should be undertaken immediately and that there was insufficient time to obtain the informed consent of a person authorized to give such consent for the patient.

Emergency situation: a situation requiring immediate services for alleviation of severe pain, or immediate diagnosis and treatment of unforeseeable medical conditions, which, if not immediately diagnosed and treated, would lead to serious disability or death.



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Questions?