INFORMED CONSENT SELF-AUDIT

- I understand that informed consent is actually an ongoing communication process between my patient and me, rather than merely a form signed by the patient.
- I consider all five steps of the informed consent process:
  - I determine who may legally consent
  - I discuss the informed consent issues with the patient or the party with authority to consent
  - the treatment decision is made by the patient or patient's decision-maker
  - I document the process
  - I periodically re-evaluate consent to ensure it remains relevant and meaningful
- The following are included in my informed consent discussion (unless there are reasonable exceptions):
  - the nature of the proposed treatment
  - the risks and benefits of the proposed treatment
  - the alternatives to the proposed treatment
  - the risks and benefits of the alternative treatments
  - the risks and benefits of doing nothing
- I discuss the informed consent issues with my patient, rather than delegating that task to my staff.
- I understand that the patient has the right to refuse treatment - even if I disagree with that decision - after being educated about the possible consequences of doing nothing.
- For minor patients with parents who are divorced or separated, I obtain a copy of the legal document (separation agreement or custody agreement) that sets out the rights of each parent in terms of making treatment decisions and obtaining treatment information.
- For adult patients with substitute decision-makers (such as guardians), I obtain a copy of the legal document providing medical decision making authority (such as the court order appointing the guardian).
- I avoid relying on the "therapeutic privilege" exception to obtaining informed consent.
- If I only obtain verbal consent, I write an entry in the record indicating what the patient was told, the patient's understanding, and the patient's consent. I may also personalize the entry with specific issues and/or questions addressed with the particular patient.

- If I use consent forms signed by the patient:
    - I realize that such forms cannot replace the consent discussions between me and my patient.
    - I review the forms and update, as needed, periodically
- I am clear on when utilization of a consent form is legally required (such as when performing research, ECT, etc.)
- I have checked with my state licensing board to determine if there are guidelines or policy statements relating to informed consent.
- Even if not required, I consider using consent forms when:
    - recommending medications with known serious side effects (such as tardive dyskinesia, lithium toxicity, neuroleptic malignant syndrome, etc.)
    - recommending an off-label use of a medication – to educate about the nature and the risk of the off-label use
- If I recommend treatment that is considered controversial, experimental, complementary or alternative, the information I disclose is expanded and very specific written consent is obtained. The additional information includes the scientific basis for the treatment, if it is considered the standard of care, and why more conventional therapies are not being used.
- If I use patient information handouts:
    - I do not rely exclusively on brochures, pamphlets, or articles to provide information about the treatment.
    - They are reviewed and updated, if needed, periodically

I keep a copy in the patient's record of informed consent forms, written instructions, and educational information, including medication information sheets, provided to the patient.

Compliments of:

Call	(800) 245-3333
Email	TheProgram@prms.com
Visit us	PRMS.com
Twitter	@Prms

The content of this article ("Content") is for informational purposes only. The Content is not intended to be a substitute for professional legal advice or judgment, or for other professional advice. Always seek the advice of your attorney with any questions you may have regarding the Content. Never disregard professional legal advice or delay in seeking it because of the Content.

©2014 Professional Risk Management Services, Inc. (PRMS). All rights reserved.