

Informed Consent

- What Is Informed Consent?
- Things About Your Care You Have a Right to Know
- Checklist for Making Health Care Decisions

What Is Informed Consent?

“Informed Consent” is the legal term for your right to be in charge of your own health care. It means your right to accept—or refuse—medical treatment.

“Informed consent” has two words in it: “informed” and “consent.” Both are important. In fact, you should think of your right to decide as two rights in one.

First, your doctor (or other care provider) must explain your medical situation to you, before treatment begins, in language you can understand. This gives you the facts you need to make an informed decision for yourself, instead of relying on guesswork or someone else’s say-so.

Second, once you have been informed, you have

the right to give or refuse your consent. It’s up to you to say “yes” or “no” to what your doctor is recommending.

Together, “informed consent” gives you the right to decide what’s best for you, based on your own values and priorities.

Information You Can Use

Before treatment begins (and also before it is changed in any important way), your doctor (or other health care provider) must tell you...

- what your medical condition is
- what kind of treatment he/she is recommending
- what he/she expects this treatment to do for you
- what other options you have (including the option of doing nothing); and
- what the risks and benefits are.

Steps to Take

Exercising your right to decide is easy. But you must be willing to take these simple steps:

1. *Make sure you understand the information you are given.* If you aren’t sure about something, ask to go over it again. Or try saying back to your



doctor what you think he or she is telling you. Remember, if you don't understand what you've been told, you can't make an "informed" decision. So asking to go back over something you still don't completely understand is the smart thing to do.

2. *If you need time to think about your choices or discuss them with others, take it.* Unless you're in a medical emergency, you may take the time you need to make up your mind. Is there someone in your family or a close friend you'd like to talk with first? Sometimes, finding out what another doctor thinks can also be a good idea.
3. *State your decision clearly.* When you've made your choice, don't hide it. Tell your doctor exactly what you do and do not want done.

Questions and Answers

Q. *What happens if I lose the ability to make my own decisions?*

A. Your health care rights do not end if you become "incapacitated" (unable to act for yourself). Instead, they will be exercised for you by someone who acts on your behalf. This might be:

- a guardian, if one has been appointed;
- a health care representative, if you have a durable power of attorney for health care or a health care proxy; or
- a close family member.

Anyone who acts for you must ...

- make decisions the way you would

make them—if you've said what your wishes are

- make decisions that are "in your best interests"—if your wishes are not known.

Q. *What if I really don't want to know all the details?*

A. You have the right to be informed. But you also have the right to say that you don't want to know all the details and risks. If you feel this way, say so. Your doctor will want you to be informed and make the decisions that affect you. But he/she will also respect your wishes if less information feels better to you.

Q. *In an emergency, if I can't give consent, will I still receive care?*

A. Yes, of course. Your consent is taken for granted in a medical emergency. As an example: if a person is in a car accident and unconscious, the first medical team on the scene will begin emergency treatment. Care will continue until the person (or someone acting for the person) can give consent.



Checklist for Making Health Care Decisions

- Do I have the information I need...
 - about my medical condition?
 - about what my doctor recommends?
 - about any other options open to me?
 - about the various benefits and risks?
- Do I need to think about my options or discuss them with anyone?
- Have I made my decision clear to my doctor?

My Notes