

### 3. Consent:



*Any physical examination needs permission or consent of the patient otherwise the doctor may be guilty of assault (battery) if he touches or even attempts to touch an unwilling person.*



# Types of consent:

\***Implied consent:** where a person comes to visit a doctor or asks the physician to visit him,  
(does not extend to intimate or to invasive examinations)

## \***Expressed consent:**

- *Expressed **written** consent.* (surgical interference or complex diagnostic procedures)
- *Expressed **verbal** consent.* (witnessed by another person)

# Elements of informed consent

Most hospitals has a special format for informed consent, it entail:

- 1) **Nature** of surgical procedure in details or treatment and why it should be done.
- 2) The method of **anesthesia**.
- 3) **Expectations** of the recommended treatment and success.
- The period of stay in hospital
- 4) **Alternative method of treatment** which are available and the probable outcome in the absence of any treatment.
- 5) **Adverse effects and complications expected) or risks involved**

# *Informed consent*

- *All details should be explained to the patient in understandable non technical terms. This followed by patient's signature.*
- *Consent only extends to what was explained to the patient & nothing extra should be done.*
- *Informed consent should be taken before doing any research on patients.*
- *Informed consent protect physician from malpractice sue.*

**Consent should be taken from the patient before examining or treating him except in :**

- Prisoners
- Pilot & airplane crew
- Food dealers
- To test sanity
- Emergency & critical cases

# Medical interference without consent:

In an **emergency**, such as an accident where the victim is in extremis على حافة الموت, unconscious or shocked.....to save life or preserve health



Routine medical examination of **new prisoner** to exclude infectious diseases.



## Consent is invalid in the following:



### **1) Unlawful act**

ex: Criminal abortion.

### **(2) Operations with no medical indication**

ex: Amputation of finger to be unfit to military service.

### **(3) Consent given by one has no right to give**

ex: minors (below age), mental patients. consent could be obtained from a substitute or guardian

### **(4) Consent obtained by fraud**

ex: convincing the patient that the operation is necessary to save his life while this is not true.

- 1- In case of children , the responsible **relatives or guardians** give consent to treatment on their behalf .
- 2- In mental disease or defect : it is impossible for the patient to understand and give consent to medical procedures . Either a **relative** , **legal guardian** , the **medical institution** or a **legally appointed authority** gives permission on behalf of that patient .

# *Disclosure of Patient*

- ***Information Disclosure***

Patients have the right to receive accurate and easily understood information about their health plan.

- ***Participation in Treatment Decisions***

Patients have the right

- To know all their treatment options
- To participate in decisions about their care.
- Patient should be told the truth but if his condition was fatal and the truth will harm him physically or psychological , the physician may disclose his condition to his family **unless** the patient asked him not to tell them.
- Parents, guardians, family members, or other individuals that patients choose can represent them if they cannot make their own decisions.

# Disclosure

- *Disclosure refers to both giving the needed information by clinician and making them understandable by the patient.* (Information should be given in terms that the patient can understand.)
- *It provides continuing & trusting Dr-Pt relationship.* Informed patients are more satisfied with their care and less apt to change physicians than patients who are not well informed .
- *including nature of illness, treatment and expected effect, hospital stays duration, time for recovery, restrictions on daily activities, scars, alternative options and use of medication.* + information about relevant alternative options and their expected benefits and relevant risks , and an explanation of the consequences of declining or delaying treatment

- *Pt. have the right to:*
- *ask questions when they do not understand information or instructions.* (the clinician must respond to questions or requests for further information ).
- *tell their doctor if they believe that they cannot follow through with their treatment.*
- Patients should be told the truth . Not telling the truth can harm patients in many ways . Patients who remain uninformed about their condition may fail to obtain medical attention when they should . They may also make decisions affecting their lives if they were not aware of their condition .

THANK YOU

