
Consent for healthcare:

A guide for young people

Developed by the healthcare professionals of Quality, Safety and Risk Management with assistance from the Department of Learning and Development.

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By law, healthcare professionals (doctors, nurses, therapists, and technicians) cannot examine or treat you in hospital unless you agree to the care. This is called “consent” to care. When you consent, or refuse, you take responsibility for the choices you make about your health. Decisions about health and wellness are important. Most of them need careful thought. This pamphlet will give you some ideas on how to think about consent.

In an emergency, doctors may give you care without consent if it could save your life or prevent your condition from worsening. They will try to have a relative give consent on your behalf if you are unable. If there are kinds of treatment you don’t want to have, you should make sure your family understands your wishes.

Am I old enough to make the decisions?

The age when you can consent is not measured in years. Not all 10, 15 or 17 year olds are the same. Some mature earlier than others. The law leaves it up to the doctor to judge whether you are able to make wise healthcare choices for yourself.

To make good decisions you must understand your health problem (diagnosis) and all the treatments available. You must also be able to consider what your choices will mean for your future. When you are able to do this kind of thinking, you can give an **informed consent**.

Your doctor may use reliable tests and/or get the opinion of other skilled professionals to decide if you can consent to all or parts of your healthcare. In some cases you may be considered ‘competent’ to give consent. In more complex cases, you may be considered ‘incompetent’ to give consent.

Until you are able to give your own informed consent, the doctor will ask for consent from your parent(s) or legal guardians. If there is a reason why this is not possible, the doctor can get consent from the government through a social worker from the Ministry of Children and Family Development.

If you are worried about anything to do with consent please talk with one of the people caring for you. Any healthcare professional can help you sort things out.

What is true informed consent?

A true consent must be **informed**.

- You must have all the information you need to make a good decision for yourself. The section below suggests some questions you might want to ask the doctor. If you need some time to consider or talk with your family, ask if you can delay signing consent. Sometimes the healthcare team has to act quickly and you may not have a lot of time to think. At other times, it is possible to take as much time as you need.

Note: It is a good idea to include your parents in your decision. If they are part of the discussion they can support and help you think things through.

A true consent must be **valid**.

- You must feel free to make your own decision without pressure from anyone. This means you believe that the healthcare team and your family and friends will not change the way they care for you, no matter what you choose.

Note: If you are feeling pressure to decide in a way that you feel is not right for you, please be brave and ask for help. You can ask to speak privately

- Removal of tissue samples such as skin, muscle, liver, kidney, bone or bone marrow
 - Removal of whole organs or parts of organs
 - Removal of cysts or tumours
 - Giving certain drugs.
- General anesthetic that puts you to sleep or regional anesthetic that numbs a part of your body.
- Taking part in a research study.
- Taking pictures of your body for diagnosis or treatment. This may include some x-rays, CT scans, MRI scans, photographs of wounds or possibly videos. These images are protected, private documents kept in your health record.

Note: Photographs, films and recordings are very useful for teaching new health professionals and for medical research. They cannot be used for these purposes without a special consent from you.

What does not need written consent?

In the following situations verbal or implied consent is given:

- In most cases taking blood, urine, or other body fluids
- Giving you certain drugs.

Even though written consent is not required, you still need to be given the information you need to give verbal or implied consent.

My questions:

Hints:

- Repeat back information to make sure you have understood it correctly.*
- Make some notes so you can go over things later and explain to family or friends.*
- If you have concerns write them down so you don't forget to ask about them.*

Can I change my mind about consent?

You have the right to change your mind about consent at any time. You can withdraw your consent or limit it to some parts of care only. You may be asked to give your consent again, just before the procedure. This is not because the healthcare professional has doubts, but to fulfil your legal right to change your mind.

Will my decisions be kept private?

There are times when you may want to get advice or treatment without your parents knowing (such as birth control). If you are competent to make your own healthcare decisions, healthcare professionals will not tell your parents without your permission. They will give you private advice. They will help you with what you need if they judge that you are able to make the healthcare decision on your own.

What if I don't agree with my family or my doctor?

If it is clear to the doctor that you can make reasonable decisions, then you can refuse or consent to treatment. You can make your own decision even if your parents disagree with your choice.

If you make a decision that the doctor believes will do you serious harm, he/she may ask for help before acting on your decision. He/she will do this even when your parents agree with your decision.

The healthcare professional, or you, can call on:

- The hospital's Ethics Committee. This committee is trained to help sort through difficult issues like who is the judge of your "best interests".
- The Ministry for Children and Family Development. They will consider what you, your family and the healthcare team say and help everyone make a plan for your well-being.
Note: Just because the Ministry for Children and Family Development becomes involved does not mean you lose your rights.

What questions should I ask to help me with my decisions?

You can and should ask as many questions as you need to make an informed decision. If you don't understand something, ask for it to be explained until you do understand it. Here are some questions that you can ask that will help you understand and make an informed decision:

- Why do I need to have the test/treatment?
- What happens during the test/treatment?
- If I have the treatment, how much better will I be? What is the worst thing that might happen?
- Are there other ways to get the same results?
- What could happen if I choose to do nothing for the time being? How serious are the risks of this?

- What are the most common things that can go wrong? How often do they go wrong? How often has it happened to your other patients? Is this the same number as for other doctors or hospitals?
- Who will do the procedure? What experience has s/he had with this type of procedure?
Note: In a teaching hospital, some of the people taking care of you may be students. You benefit from the extra attention they can give you and they benefit from the hands-on learning. Senior, qualified staff always supervise students. Students only do procedures for which they have been trained. You can ask about the qualifications of those caring for you.
- What things can go wrong during the anesthesia?
Note: It is important for you to tell the anesthetist and other health professionals about any problems, drug reactions or allergies you have had. This information helps reduce some of the risk.
- What care will I need after this procedure in the short and long term?
Note: Ask where and how you will get the care if you are unsure.
- How can I expect to feel after the treatment/procedure? What changes can I expect in my ability to:
 - move and exercise as usual?
 - drive?
 - work and/or go to school?
 - follow my usual diet?
 - be with my friends
 - resume sexual relationships?