



Informed Consent in the Ambulatory Surgery Center

Frequently Asked Questions

Q. What is “informed consent”?

A. Informed consent occurs when your doctor speaks with you about a procedure or treatment being considered. Your doctor is legally required to tell you specific information about the recommended procedure or treatment.

Q. What information will my doctor discuss?

A. Your doctor should provide the following information about the procedure or treatment:

- a. The possible risks ;
- b. The possible benefits ;
- c. The possible complications ;
- d. Other alternatives to the procedure treatment.

Q. Must my doctor speak to me and obtain my consent for the procedure or treatment I am considering?

A. Yes. Obtaining consent cannot be passed on to a nurse, physician assistant or other medical assistant. The provider or physician who is performing the surgery or procedure must be the one obtaining your consent and the one with whom you have the consent discussion. So, if you are having surgery, the surgeon must obtain your consent. If you are undergoing anesthesia, the anesthesia provider must also obtain your consent.

Q. What is a consent form?

A. The consent form is a piece of paper you will be asked to sign prior to having a procedure or treatment. Your signature on this form indicates your agreement to undergo the procedure or treatment. It also means that you understood what you were told during the informed consent process.

Q. When will I sign the consent form?

A. Ideally, the consent form is signed a week or two prior to your procedure or treatment. Signing it in advance allows time for you to think about your decision to have the procedure or treatment and time for your questions and concerns to be addressed by your physician. Sometimes, circumstances do not allow for early review and signature of the consent form and it is signed just prior to the procedure.

Q. Who can give consent?

A. Individuals who can legally give consent for a procedure or treatment include:

- a. Competent adults > 18 years of age;
- b. Parent or legal guardian of a minor;
- c. Legal guardian of an incompetent person > 18 years old;
- d. An emancipated minor;
- e. A foster parent for a minor under foster care. The foster parent must also have a letter from the Dept. of Child Services stating that they have

- f. been given responsibility for the child.
- f. A divorced parent who has sole custody of a minor child;
- g. A minor female having an abortion (< 18 years) with a letter from her physician stating she has been counseled.

Q. What types of procedures or treatments require that consent be obtained?

A. The following are guidelines where consent should be given:

- a. Any procedure where a scalpel, scissors, suture or laser may be used;
- b. Whenever an area of the body is opened or entered such as endoscopy, colonoscopy, bronchoscopy or cystoscopy.
- c. Whenever general, local or regional anesthesia or conscious sedation is used;
- d. When contrast media is injected such as during the performance of Scans and MRIs.

Q. What happens in an emergency situation when there is not enough time to obtain consent for a procedure or treatment?

A. If a delay in medical treatment will cause significant harm to the patient, then the physician may treat the patient without waiting for the signed consent.