

Informed consent



FACTSHEET 05

Hepatitis Council of Qld

“ Before you are given any treatment by a doctor or health professional, **you must give your consent one way or another.** This protects you against drugs, remedies or procedures that you don't want

What does it mean when you agree to take a drug or try a particular treatment? What are your legal rights? What should you know about the treatment?

What is informed consent?

Before any medical treatment is given, people must give valid consent. The need for consent helps ensure that people are given as much information as possible about treatments.

Anyone who treats you without getting informed consent first, could be charged with the common law offences of assault and battery. However, consent doesn't have to be given verbally or in writing all the time. Holding out your arm to receive an injection, or not actually objecting to something could both be taken as 'consent'.

Aspects of consent

There are three important aspects of 'consent':

1. Consent must be informed

- For consent to be informed, you must be given enough information to make a proper choice about accepting treatment;
- If there is a risk of complication that might have a serious affect on the quality of your life, then information about that risk should be given;
- If healthcare workers know you are particularly worried about a certain risk, then they have to tell you about that risk;
- The doctor or specialist must answer all your questions to the best of their knowledge;

2. Consent must be voluntary

- If some type of force or coercion is attached to obtaining consent—then it is not valid;
- If there is psychological pressure to agree with the medical staff or not enough time given to decide, then it is not valid consent;

3. Consent only covers one treatment

- If you agree to take drug A, then you can't also be given drug B without your consent to that too.



“The HCCQ was like a lifeline - I knew I could trust their information. You can hook right into the information and sift out what are confusing and conflicting messages”

The ABC of Hepatitis Training Package is an initiative of Queensland Health through funding provided by the Commonwealth Department of Health and Ageing under the National Hepatitis C Prevention and Education Initiative

Updated: 3 April 2009

For more information www.hepqld.asn.au
or Hepatitis Council of Qld info line **1800 648 491**

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How can the right information help me?

- Helps you to make an informed decision;
- Lets you know what to avoid doing or taking while on treatment;
- Helps you understand what treatment is supposed to do;
- Helps you monitor side effects;
- Helps you use the treatment safely.

What is the general age for giving consent?

Generally speaking, anyone aged 14 years or over can give consent for medical treatment. However, to be eligible for government-subsidised hepatitis C treatment, you must be over 18 years old.

What does 'Power of attorney (medical treatment)' mean?

It means that someone else can make medical decisions for you (including consenting to treatment). You have the ability to appoint someone to make medical treatment decisions on your behalf, in the event of you losing your capacity to make those decisions yourself (for example, if you are in the early stages of Alzheimer's).

Interested in finding out more?

Factsheets

- 03 Hepatitis C: combination therapy
- 07 Disclosure & confidentiality
- 08 Discrimination & hepatitis
- 25 Pre & post test discussions

Organisations

- Health Quality and Complaints Commission (HQCC) – phone **1800 077 308** or visit their website at www.hqcc.qld.gov.au

Image is from Stock Exchange (www.sxc.hu)

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