

Consent

In medical practice it refers to the willingness of a person to subject himself for examination, investigation and treatment

- **Consent is valid when**
 - **free, voluntary, without undue influence**
 - **given by a competent person**
 - **is informed**
 - **information necessary to make therapeutic decision**
 - **relevant information about research**
 - **relevant medicolegal information**

- **Should be taken from the spouse especially when it affects the reproductive and sexual functions permanently**
- **Maybe given by a guardian (proxy consent) in the case of the mentally retarded, minors**

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Consent

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graph TD; Consent --> Implied; Consent --> Expressed; Expressed --> Verbal; Expressed --> Written; Expressed --> Gesture; Expressed --> Written_witnessed[Written/witnessed];
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Implied

Expressed

Verbal

Written

Gesture

Written/witnessed

Implied consent

- The behavior of person indicated that the person is willing for examination and treatment
- Consent is implied when
 - a person voluntarily comes to the OPD/clinic and sits by the doctor
 - when he gets admitted to a ward
 - a person who comes voluntarily with a MLEF for examination
- However this consent is limited to ordinary forms of examination, investigation and treatment

Expressed consent

- When consent is not implied, the doctor has to get consent from a competent patient after explaining what he is going to do and the implications of what is to be done. In other words the patient must express his willingness for the examination, investigation and treatment
- It must be obtained in the presence of a third party

Expressed written consent should be taken....

- **Before invasive examination/treatment**
 - Per vaginal examination
 - Rectal examination
 - Taking blood for investigations
 - Intra venous therapy
 - Chemotherapy , Radiotherapy
 - Surgery
 - Any procedure needing anaesthesia
- **Experimental medicines / clinical trials**

- **Written and Witnessed:**

- the patient will express his willingness in writing and the fact such signature was free and voluntary and obtained after explaining the procedure and the consequences and is witnessed by a third party

