



Defense Health Agency (DHA) Clinical Communities Speaker Series

SEPT 2022 CCSS: Transformative, Innovation-Based Updates in Modern Health Care Practice

S06: Clinical Medical Informed Consent: More Than a Form

Resource List

The American Health Lawyers Association created a guide: [Understanding Informed Consent: Guide for Active-Duty Military and Military Medical Beneficiaries](#) (2016). This guidebook provides important information for active military personnel and their military medical beneficiaries about the informed consent process, which includes two components: 1) Your right as a patient to determine what happens to your body or to a beneficiary such as a minor child, and 2) The health care provider's duty to give you enough information so you can make an educated decision about your medical condition and the proposed treatment, including the risks, benefits and alternatives.

[Informed consent](#) (2022) is the process in which a health care provider educates a patient about the risks, benefits, and alternatives of a given procedure or intervention. The patient must be competent to make a voluntary decision about whether to undergo the procedure or intervention. Informed consent is both an ethical and legal obligation of medical practitioners in the US and originates from the patient's right to direct what happens to their body. Implicit in providing informed consent is an assessment of the patient's understanding, rendering an actual recommendation, and documentation of the process. The Joint Commission requires documentation of all the elements of informed consent "in a form, progress notes or elsewhere in the record." The following are the required elements for documentation of the informed consent discussion: (1) the nature of the procedure, (2) the risks and benefits and the procedure, (3) reasonable alternatives, (4) risks and benefits of alternatives, and (5) assessment of the patient's understanding of elements 1 through 4.

[American Medical Association](#)- Code of Medical Ethics: Consent, communication & decision making (2022). To enable patients to participate meaningfully in decisions about health care, physicians have a responsibility to provide information and help patients understand their medical condition and options for treatment. The American Medical Association provides a few Informed consent & shared decision making resources on their website: <https://www.ama-assn.org/delivering-care/ethics/code-medical-ethics-consent-communication-decision-making>



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References

- American Health Lawyers Association. (2016). *Understanding informed consent - Military Onesource*. Understanding Informed Consent: A Guide for Active-Duty Military and Military Medical Beneficiaries. Retrieved from [https://download.militaryonesource.mil/12038/MOS/AHLA/Understanding Informed Consent Military and Beneficiaries.pdf](https://download.militaryonesource.mil/12038/MOS/AHLA/Understanding_Informed_Conse
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- American Medical Association. (2022). *Code of medical ethics: Consent, Communication & Decision making*. Code of Medical Ethics: Consent, communication & decision making . <https://www.ama-assn.org/delivering-care/ethics/code-medical-ethics-consent-communication-decision-making>
- Shah, P., Thornton, I., Turrin, D., & Hipskind, J. (2022, June). *Informed consent*. NIH- National Library of Medicine. <https://www.ncbi.nlm.nih.gov/books/NBK430827/>