



PRACTICE STATEMENT

Practice Statement
Number 4.3

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TOPIC: INFORMED CONSENT TO TREATMENT

Statement:

Consent is defined as the voluntary agreement to a course of action. In order for consent to be “informed”, certain requirements must be met. The consent must be made voluntarily, without fear or duress, by the client. The client must be properly informed and the client must have the capacity to consent.

In order to adequately inform the client, the physiotherapist is obligated to provide certain information and allow the client to ask questions. The information provided must allow the client to reach an informed decision. The following is a list of information to be discussed with the client:

- The diagnosis, as known;
- Nature of treatment procedure(s) that is being suggested;
- Significant risks, benefits of treatment and reasonable alternatives;
- Reasonable additional procedures which may be necessary; and
- Risks, including remote risks where the potential problem is serious, of undertaking or foregoing the suggested care.

Informed consent can be “implied consent” where consent is provided by either words or the behaviour of the client or by the circumstances under which treatment is given. For example, a client who attends for treatment, volunteers information on his/her medical history and submits to an assessment or treatment procedure without objection, has provided implied consent.

“Expressed consent” may be oral or written in nature. An example is when a client is asked to sign a consent to treatment form.

It is preferable to seek a current, signed written informed consent from the patient. However, in certain circumstances this may be difficult and a verbal or implied, informed consent may be appropriate.

A Practice Statement is a formal position of the College with which members shall comply.

Rationale:

Informed consent is both a legal requirement as well as a vital component of physiotherapy treatment. Every client has the right to be provided with appropriate information in order that they can make an informed decision. It is within the physiotherapist's role to provide this information and to ensure that the client understands the information being provided.

The physiotherapist must understand that the client may refuse treatment.

Under certain circumstances, it may be difficult to obtain informed consent. For example, in dealing with children, the physiotherapist should obtain the informed consent of the child's parent or legal guardian.

If the client is incapable of providing informed consent, it is acceptable to receive informed consent from immediate family members, guardians or the public trustee.

Other situations where exceptional care should be taken to ensure appropriate informed consent from the client, immediate family, guardians or the public trustee, include:

- Psychiatric or neurological problems
- Speech or hearing impairment
- Those who are confused, have severe pain or depression
- Clients who are impaired through substance abuse
- Unconscious clients

References:

Position statement from the College of Physical Therapists of Alberta - "Informed Consent"

"Consent: A Guide for Canadian Physicians" Third Edition - The Canadian Medical Protective Association

Legislative Reference:

Regulations Schedule A – Standards of Practice 1(3)

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