

What You Need to Know About Informed Consent

As a VA patient, you have the right to make informed decisions about your health care. This includes decisions about medical care and about mental health care. Before beginning a new treatment or procedure, your VA provider will give you information about the treatment or procedure, answer any questions you may have, and ask you if you want to go ahead with the treatment or procedure. You have the right to say yes or no. If you say yes, you are giving your “informed consent.” You always have the right change your mind. If you say no to a treatment or procedure, it will not affect your future care or other benefits.

When Will I Be Asked to Give Informed Consent?

Normally you will be asked to give informed consent whenever your provider recommends a new treatment or procedure. In a medical emergency, when there is no time to have an informed consent discussion, your provider will give you necessary medical care to save your life or prevent serious harm.

What Will Happen in the Informed Consent Discussion?

Before you begin a treatment or procedure, your provider will:

- Explain your health condition in language you can understand
- Describe the treatment or procedure
- Explain why this treatment or procedure is recommended for you
- Describe the benefits and risks of the treatment or procedure
- Tell you if the treatment or procedure is new or non-traditional
- Describe other options besides the recommended treatment or procedure
- Describe what is likely to happen to you if you don't have the treatment or procedure
- Tell you who will be responsible for the treatment or procedure
- Tell you what you will need to do if you have the treatment or procedure (such as miss work, take medicines, or change your own bandages)
- Check to see if you understand the information you have been given about the treatment or procedure
- Encourage you to ask questions

Will I Need to Sign a Form?

Not necessarily. For many procedures and treatments, you can just tell your provider you agree and you do not have to sign anything. For other procedures and treatments, such as surgery and blood transfusions, your provider will ask for your signature on a form called Consent for Clinical Treatment or Procedure. The form includes specific information about the treatment or procedure your provider has recommended. You should read the form and ask

questions about anything you do not understand. You should not sign the form unless you decide to have the treatment or procedure.

Who Can Give Informed Consent?

As long as you can make your own health care decisions, you can give informed consent. If someday you can't make your own health care decisions anymore, your provider will choose someone to give informed consent for you. The person the provider chooses to make decisions for you is called your surrogate decision maker.

You can choose a surrogate decision maker ahead of time by completing a formal document called a Durable Power of Attorney for Health Care. You can get this form from VA. If you complete a Durable Power of Attorney for Health Care, you should give a copy to your health care provider.

If you do not complete a Durable Power of Attorney for Health Care, VA will appoint a surrogate decision maker for you from the list below. VA will start at the top of the list and work down until they find someone to be your surrogate:

- Legal guardian or special guardian (someone appointed for you by the court)
- Next-of-kin (a relative who is 18 years of age or older):
 - Spouse
 - Adult child
 - Parent
 - Sibling
 - Grandparent
 - Grandchild
- Close friend

Where Can I Get More Information?

Please talk with the VA treatment team members who are providing your care or to a patient advocate if you have any questions or would like more information about informed consent.