

## Informed Consent for Methicillin-Resistant Staphylococcus Aureus (MRSA) Testing

Nasal screening is a significant component of VA's program to prevent transmission of Methicillin-resistant *Staphylococcus aureus* (MRSA). Pursuant to VHA Directive 2007-002, in order to determine who is a carrier of MRSA, nasal testing is performed upon admission to a VA medical facility, on subsequent unit-to-unit transfers, and on discharge.

Unfortunately, there have been recent reports in the media that have characterized VA's MRSA program as "mandatory testing" or "mandatory screening." Such characterizations are inaccurate. In fact, mandatory testing for MRSA would be inconsistent with VA law,<sup>1</sup> regulation,<sup>2</sup> and policy,<sup>3</sup> all of which make clear that (with certain exceptions) patients have the right to accept or refuse any recommended treatment or procedure. The requirements for obtaining informed consent set out in VHA Handbook 1004.1, *VHA Informed Consent for Clinical Treatments and Procedures*, apply to all procedures, including MRSA nares swabs. Accordingly, while practitioners are required to offer the MRSA screening test, it may not be performed without the patient's informed consent.

### MRSA and the Informed Consent Process

As part of the consent process, the patient needs to be educated about screening and MRSA prior to the test so that he or she can make an informed decision regarding whether to be tested. The educational brochure "Should I Take the MRSA Test?" provides all the information providers need to cover with the patient prior to the screening. Education can be performed by any clinical provider who is obtaining the test. The MRSA nares swab is not a procedure that requires signed informed consent; however, the general principles of informed consent still apply: the patient (or surrogate) should understand what the MRSA screen is, why the test is being offered, and the risks and/or benefits of the test, including what will happen next if the test is positive or negative. The patient is thus given a voluntary choice, which is documented in the patient's record.

In addition to communicating with patients, practitioners should make clear, in their own communications to the media and to other staff, that informed consent is required for MRSA screening. Statements such as "all patients will be screened," "testing is mandatory for all patients," and "nasal screening must be obtained" should be avoided in favor of statements that more accurately reflect legal requirements. Among these are "all patients will be offered MRSA testing," "testing is mandatory for all patients, provided they give informed consent," and "nasal screening must be obtained in all patients who agree to be tested."

For more information and a patient information brochure on MRSA screening, see [http://www.pittsburgh.va.gov/MRSA/MRSA\\_Testing.asp](http://www.pittsburgh.va.gov/MRSA/MRSA_Testing.asp).

### Notes

1. 38 U.S.C §7331.
2. 38 CFR §17.32.
3. VA Handbook 1004.1, *Informed Consent for Clinical Treatments and Procedures*, Paragraph 4.a.

If you have questions or comments, please contact the Ethics Center at [vhaethics@va.gov](mailto:vhaethics@va.gov)

