Oral Informed Consent for Auricular Acupuncture

VHA is committed to offering and providing safe, Veteran-centered care. As more information has emerged about the risks associated with the use of long-term opioids for pain, VHA is expanding the therapies that it offers to patients. One such therapy is auricular acupuncture, including protocolized treatments such as battlefield acupuncture (BFA). During an auricular acupuncture treatment, sterile needles are placed in the ear or ears to address pain, anxiety, depression, or other disorders.

The purpose of this EthicsRx is to clarify that auricular acupuncture provided in VHA requires oral informed consent, but does not require signature informed consent.

Current VHA Handbook 1004.01, Informed Consent for Clinical Treatments and Procedures (August 14, 2009), identifies “acupuncture” among the treatments and procedures requiring signature informed consent. This requirement was established in the 2003 version of the Handbook and carried over into the current Handbook. Because the risks related to auricular acupuncture as a stand-alone treatment are not comparable to the risks associated with full body acupuncture, it is appropriate to differentiate the informed consent requirements for acupuncture done only in the ear from full body acupuncture. VA clinical subject matter experts from Patient Care Services and the Office of Patient Centered Care and Cultural Transformation have determined that auricular acupuncture does not meet the risk threshold for signature informed consent as defined in VHA Handbook 1004.01, paragraph 13c(2). That is, auricular acupuncture is not reasonably expected to produce significant pain or discomfort to the patient, including pain substantial enough to require sedation, anesthesia, or narcotic analgesia. It is not reasonably considered to have a significant risk of complication or morbidity and, it does not require injection of a substance into a joint space or body cavity. Based on this assessment, this EthicsRx clarifies that the signature informed consent requirement does not apply to auricular acupuncture. Auricular acupuncture is a low risk therapy and therefore requires only the patient’s oral informed consent, based on a discussion of the risks and benefit of, and alternatives to the treatment.

As indicated in Handbook 1004.01, Appendix A, signature informed consent is still required for all other forms of acupuncture in VHA. Any future change to this requirement will be communicated through the appropriate mechanisms.

If you have questions about BFA or want more information about auricular acupuncture in VHA, please contact vhafasupport@va.gov or go to the BFA VA Pulse page: https://www.vapulse.net/groups/va-bfa-community/. A patient information sheet about BFA is on the BFA VA Pulse page and will be made available in the iMedConsent™ library.

If you have questions about this EthicsRx or want more information about informed consent in VHA, please contact vhaethics@va.gov or visit the National Center for Ethics in Health Care’s website: http://vaww.ethics.va.gov/activities/policy.asp