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STANDARDS AND GUIDELINES

TITLE: INFORMED CONSENT
DOC #: Standard 10
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Note to Readers: In the event of any inconsistency between this document and the legislation that affects homeopathic practice, the legislation governs.

College publications contain practice parameters and standards which should be considered by all Ontario homeopaths in the care of their patients and in the practice of the profession. College publications are developed in consultation with the profession and describe current professional expectations. It is important to note that these College publications may be used by the College or other bodies in determining whether appropriate standards of practice and professional responsibilities have been maintained.

POLICY

Consent is a legal requirement and a professional obligation. A patient or his or her authorized representative or substitute decision maker must be provided with accurate and factual information about their health care and treatment options. This information is to be communicated by the Registrant in a clear and transparent manner to ensure that patients may make an informed choice about their care.

INTENT

This standard has been developed to facilitate appropriate care of patients, by defining the College's approach and statutory requirements with respect to information provision, decision-making and the relationship between the homeopath and patient.



DESCRIPTION OF STANDARD

Consent can be expressed (written or verbal) or implied. Either way, the patient chart is documented to indicate that consent was obtained.

Consent need not be obtained individually for each procedure. Consent can be obtained for a course of treatment or a plan of treatment; however Registrants will confirm consent when initiating each step in the course or plan of treatment.

1. Elements of Consent

Every registrant of the College is required to ensure that patient consent to any assessment or treatment or to a course of treatment follows the *Health Care Consent Act, 1996*. S.O. 1996 c. 2, Sched. A, contains a number of provisions relating to consent, including Ss.11 (1) which defines the requisite elements of consent to treatment as follows:

1. The consent shall relate to the treatment.
2. The consent shall be informed.
3. The consent shall be given voluntarily.
4. The consent shall not be obtained through misrepresentation or fraud.

Additionally, the College requires that consent be

5. Evidenced in a written form signed by the patient or otherwise documented in the patient record when appropriate and when a new complaint has been described.

In certain limited circumstances, consent to an examination or treatment or to a course of treatment may be implied, but the onus is on the Registrant to prove that exceptional circumstances warrant a deviation from the general requirements for consent outlined above.

Confirming consent in writing is useful. However a signed consent form without dialogue is not informed consent.

Signing a consent form following discussion reinforces in the mind of the patient the seriousness of the decision and provides evidence of the consent process should there be a question later. A sample consent form is provided at the end of this document, but may be modified to address particular circumstances, where appropriate.

RELEVANT COMPETENCIES AND PERFORMANCE INDICATORS

Competencies are the specific knowledge, skills, attributes and abilities required of an entry-to-practice homeopath in order to practise safely and ethically. These competencies, from the Competency Profile for Entry-to-Practice Homeopaths Practising in Ontario, were adopted by the transitional Council of the College of Homeopaths of Ontario in 2012.



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1.6 Identify the potential effect of personal values, beliefs and experiences and utilize this self-awareness to provide unbiased care. (S)

RELEVANT PERFORMANCE INDICATORS

1. Recognize factors that influence the ability to provide unbiased care.
2. Formulate a plan to address actions that influence the ability to provide unbiased care.

2.25 Inform the patient and obtain informed consent regarding the nature of the homeopathic process including:

RELEVANT PERFORMANCE INDICATORS

2. Obtain informed consent throughout consultation and treatment.

2.25 a. Confidentiality; (K, S)

RELEVANT PERFORMANCE INDICATORS

1. Describe what information will be collected and how it will be recorded, used and disclosed.
2. Describe who will have access to the records.
3. Explain the reason for maintaining confidentiality of patient information.
4. Explain reasons for disclosure of confidential information without consent, as required or authorized by legislation.

2.25 b. Basic homeopathic principles and process;

RELEVANT PERFORMANCE INDICATORS

1. Describe the concept of homeopathy.
2. Describe risks and benefits of homeopathic treatment.
3. Describe the patient's role and responsibility in the homeopathic process.
4. Explain the role and responsibility of the homeopath.
5. Explain how homeopathic treatment is planned, undertaken, evaluated and reviewed.

2.25 c. Nature and safety of medicine;

RELEVANT PERFORMANCE INDICATORS

3. Explain the nature and safety of medicines.

2.25 d. Duration and frequency of visits;

RELEVANT PERFORMANCE INDICATORS

1. Explain the frequency and duration of typical visits.

2.25 e. Treatment expectations (acute vs. chronic, prognosis); and

RELEVANT PERFORMANCE INDICATORS

1. Explain how treatment addresses acute versus chronic conditions.
2. Explain reasonable outcome expectations of the treatment.

2.25 f. Fee schedule.

RELEVANT PERFORMANCE INDICATORS

1. Explain fee structure for services.
2. Explain fee structure for products and medicine.



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- 2.28 Collect detailed information regarding the health status of the patient to obtain a totality of symptoms using the following:
- b. Information provided by the patient's extended network if appropriate (e.g., family, caregiver).

RELEVANT PERFORMANCE INDICATORS

4. Document information provided by the patient's extended network.

- 2.42 Monitor patient response to medicine, and changes in patient health status. (S)

RELEVANT PERFORMANCE INDICATORS

1. Record patient's observations after administration of medicine.
2. Record objective, subjective and diagnostic changes.
3. Encourage patient to keep homeopath informed of notable changes.

- 2.43 Evaluate, interpret and adjust treatment plan (e.g., second prescription) taking into consideration direction of cure, return of old symptoms, and/or new symptomatology. (S)

RELEVANT PERFORMANCE INDICATORS

5. Recognize impact of previous treatment.
6. Identify when there is a need for change to the treatment plan.
7. Determine the prognosis after observing the action of the medicine.
8. Adjust treatment plan.

- 2.45 Develop in consultation with patient, a plan for the continuation of homeopathic care.

RELEVANT PERFORMANCE INDICATORS

1. Confirm that treatment plan reflects the patient's concerns and health-care goals.
2. Demonstrate effective ways to enable individuals to recognize progress.
- 3.4 Respect patients' right to choose to integrate other therapeutic modalities in combination with homeopathic treatment. (12)

RELEVANT PERFORMANCE INDICATORS

1. Support of informed decision-making.
2. Support patient's choice to seek care from other health-care professionals.

DEFINITIONS

For the purpose of this standard the following definitions apply:

Homeopath

"Homeopath" means a registrant of the College of Homeopaths of Ontario.

Informed Consent

Ensuring that the patient understands and appreciates the nature, anticipated benefits, material risks and side effects and alternatives, including the likely consequences of not proceeding, of the proposed intervention and agrees to proceed with it. (*Health Care Consent Act, 1996*)

Registrant

A Registrant is a member of the College of Homeopaths of Ontario.



LEGISLATIVE CONTEXT

Homeopathy Act, Ontario Regulation, Professional Misconduct 315/12 (Note: This regulation is not yet in force. It comes into force on the day named by proclamation of the Lieutenant Governor.):

3. Doing anything to a patient for a therapeutic, preventative, palliative, diagnostic or other health-related purpose except,
 - i. with the informed consent of the patient or the patient's authorized representative, or
 - ii. As required or authorized by law.

9. Giving information about a patient to a person other than the patient or the patient's authorized representative except with the consent of the patient or the authorized representative or as required or authorized by law.

Health Care Consent Act, 1996. S.O. 1996 c. 2, Sched. A, contains a number of provisions relating to consent, including Ss.11 (1) which defines the requisite elements of consent to treatment as follows:

1. The consent shall relate to the treatment.
2. The consent shall be informed.
3. The consent shall be given voluntarily.
4. The consent shall not be obtained through misrepresentation or fraud.

RELATED DOCUMENTS

#1 Guideline on Record Keeping and Privacy of Information

SOURCE

Transitional Council of the College of Naturopaths of Ontario
College of Chiropractors of Ontario
College of Midwives of Ontario



**Professional Practice
INFORMED CONSENT – STANDARD**

CONSENT FORM FOR HOMEOPATHIC ASSESSMENT and TREATMENT

Patient Name _____ File No. _____
Registrant Name Alma Sovereign Registration #: 15627

**ASSESSMENT and RECOMMENDED TREATMENT
(including those by referral to another practitioner)**

I, the undersigned, do hereby acknowledge that I have been informed of and understand the assessment and recommended treatment described above and have discussed to my satisfaction this and any requests for related information with the Homeopath named above. I have been given the opportunity to ask questions about the assessment and recommended treatment and have received answers to such questions. I further acknowledge and confirm that I have been informed of, and understand the procedure(s) with respect to the nature of the procedure, expected benefits, material risks, material side effects and financial cost; the likely consequences of not having the procedure(s), and what alternative course(s) of action are available to me. I understand that I can withdraw my consent at any time.

As a result, I do hereby voluntarily provide my informed consent for the recommended treatment specified above.

Patient or Lawful Representative Signature _____
Signed _____

Date

Witness Signature* _____

Relation to Patient _____

Address _____

Phone No. _____

*Witness signature is advised but not required

REFUSAL OF CONSENT



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I understand that I can withdraw my refusal of consent.

I also understand that my refusal of the above consent is contrary to the recommendations of my Homeopath. As a result, I do hereby voluntarily and on an informed basis refuse consent for the recommended procedure(s) specified above.

Patient or Lawful Representative Signature _____

Date

Signed _____

Witness Signature* _____

Relation to Patient _____

Address _____

Phone No. _____

*Witness signature is advised but not required