

Standard of Practice: Consent

Standard of Practice

Naturopathic doctors must receive a patient's consent before an examination, procedure or treatment and ensure that a patient has a clear understanding of an administered procedure or treatment, as well as the risks, benefits, and alternatives.

Introduction

Prior to examination, testing or treatment, the patient must provide consent that is informed. Gaining consent is an ongoing process throughout the provision of treatment and is not a singular event. A patient's consent must always be informed and can be directly expressed or implied.

Definitions

Competence: the combined knowledge, skills, attitudes and judgment required to provide professional services, defined in the *Health Professions Act*.

Consent: the agreement of the patient to a procedure or treatment; in order to be valid, consent must be informed, must relate to the assessment, diagnosis and/or treatment, must be given voluntarily and must not be obtained through misrepresentation or fraud.

Implied Consent: informed consent that can be implied by a patient's words or actions (e.g. a patient presents themselves for ongoing treatment).

Informed Consent: where the patient must have a clear understanding of the purpose of the examination and assessment, the procedure or treatment to be administered, and the risks, benefits and alternatives thereof.

Mature minor: In Alberta, a mature minor who is not a ward of a director under the *Child, Youth and Family Enhancement Act* is entitled to give or refuse consent for a proposed treatment, and a guardian has no authority to override or veto the mature minor's decision (mature minor doctrine). Alberta has established no set age for a mature minor.

Standard: an authoritative statement that describes the minimum required behaviour of every naturopathic doctor and is used to evaluate individual conduct.

Naturopathic doctors demonstrate this standard by:

1. providing the patient written or verbal explanation of clinical findings, the assessment and diagnosis, the recommended treatment plan, as well as the foreseeable risks and benefits, including those risks that may be less likely or even rare but more severe;
2. describing the nature of the proposed examination, procedure or treatment to ensure that the patient will reasonably know what to expect will happen during the examination, procedure or treatment;
3. providing patients with a reasonable opportunity to ask questions and discuss any of the verbal or written information provided;

4. explaining to patients that they are free to voice concerns or withdraw consent at any time during the examination, procedure or treatment;
5. ensuring that, prior to commencing the examination, procedure or treatment, the patient's consent is:
 - a) fully informed,
 - b) voluntarily given,
 - c) related to the patient's condition and circumstances,
 - d) not obtained through fraud or misrepresentation,
 - e) evidenced in a written form signed by the patient prior to initial consultation in accordance with the **CNDA Standard of Practice: Records Keeping**, and
 - f) received and documented in the patient chart for ongoing examinations, procedures and treatments in accordance with the **CNDA Standard of Practice: Records Keeping**;
6. seeking consent from the patient's legal guardian should the patient be:
 - a) under 18 years of age and not considered a mature minor, or
 - b) an adult patient who lacks capacity to provide informed consent.

Expected Outcomes

Patients are satisfied that:

- naturopathic doctors will seek and receive informed consent from patients prior to an examination, procedure or treatment and will do so in a clear and responsible manner.

Related Documents

Naturopaths Profession Regulation

Child, Youth and Family Enhancement Act

CNDA Code of Ethics

CNDA Standard of Practice: General

CNDA Standard of Practice: Records Keeping

