

**OLIVE VIEW-UCLA MEDICAL CENTER/HEALTH CENTERS
DEPARTMENT OF RADIOLOGICAL SCIENCE
POLICY & PROCEDURE**

**NUMBER: 4738
VERSION: 4**

SUBJECT/TITLE: CONSENTS IN THE DEPARTMENT OF RADIOLOGY

PURPOSE: To ensure compliance with Olive View UCLA Medical Center’s consent requirements

DEPARTMENTS: RADIOLOGICAL SCIENCES

POLICY: Medical Treatment shall not be permitted unless the adult patient, or a person legally authorized to act on his/her behalf has given permission by signature on the consent form.

DEFINITIONS: Minor patients presenting for medical treatment without parent or legal guardian shall be screened to ascertain authorization in accordance with legal requirements.
Informed Consent Legal Requirements

Noninvasive radiologic procedures with or without a diagnostic agent do not require specific consent. Refer to General Consent (Valley Care Policy 215)

If recommended treatment involves the performance of an invasive procedure, a physician must explain the nature of the treatment, the risks, possible complications, and expected benefits or effects of the treatment, as well as the alternatives to the treatment and their risks and benefits.

A consent is a legal document and should be dated, signed and witnessed (although a witness signature can be deferred if obtaining it will result in a delay in care).

PROCEDURE:

WITNESSES

- A witness may be over 21 years of age, who is not related to the patient and who is present while the document is being signed. One person may serve as a witness to more than one signature. He must sign separately for each signature.
- Radiology personnel are permitted to witness the signature of a patient on a “Consent for Special Examination” for treatment ONLY after the doctor has explained the procedure, and only if the patient is fully rational and competent to sign consent.

GENERAL REQUIREMENTS

- An informed consent shall be required for all invasive radiologic procedures
- A new consent must be obtained for each procedure
- The radiologist performing the procedure shall ensure that an informed consent has been obtained

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prior to commencement of the procedure

- Consents on pediatric patients shall be obtained by the referring physician (staff, resident or intern)

EMERGENCY CARE

In an emergency situation when a patient is unable to give informed consent, all of the following elements must be present if medical treatment is to proceed without consent.

1. Patient lacks capacity to consent.
2. No legal representative is available.
3. A delay in the treatment of the medical condition would lead to serious disability or death if not immediately diagnosed and treated.
4. It is important to note that only the emergency condition may be treated.
5. There has been no prior refusal

Emergent treatment can be carried out with two physician signatures attesting that delay in care would result in serious disability or death in accordance with Valley Care policy 215.

PROBLEMS

- Problems regarding consents should be referred to the Office of Health Information Management.

SIGNATURE REQUIREMENTS

- Adult
- Consent from adult patient is sufficient for his own treatment. (adult – over 18 years old)

MARRIED MINORS

- Married minors are freed from parental authority and may sign consent (Section 204 Civil Code)

UNMARRIED MINORS

- Consent must be signed by one parent, or legally appointed guardian, and by the patient, if over 15 years of age. Consent of both parents is not required, but desirable.
- Exceptions:
- Consent of unmarried pregnant minor is sufficient for her own treatment related to pregnancy (Section 34.5 Civil Code)
- Consent of unmarried minor is sufficient if serving with any of the Armed Services of the United States (Section 25.7 Civil Code)

EMANCIPATED MINORS

- A minor 15 years of age or older who is living separate and apart from parent or guardian, whether with or without consent of a parent or guardian, and regardless of duration of such separate residence, and who is managing his own financial affairs, regardless of source of his income, may give consent for care (Section 34.6 Civil Code)

WARDS OF THE PROBATION DEPARTMENT

- The Probation Officer’s consent is acceptable (Section 703, Welfare and Institutions Code)

WARDS OF THE COURT

- Consent must be signed by one parent. Consent of Judge required only when one parent’s consent is obtainable

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RESPONSIBILITY

- All healthcare providers

PROCEDURE DOCUMENTATION

- As designated

References: California Code of Regulations, Title 22, Section 70707 (5) DHS Policy #322 Jcaho Standards (Rights, Responsibilities and Ethics) LAC-USC Healthcare Policy #205	
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