

Risk Matters: Informed Consent



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Last month, we discussed the importance of the informed consent discussion to prevent malpractice claims. As a follow-up, remember that it is the discussion that takes place between the provider and the patient (or patient’s legal representative) that constitutes the basis for the consent to be “informed.” The consent form that is signed by the patient or representative is merely evidence memorializing that the discussion took place, and the patient/representative understood the information discussed. Accordingly, be sure the details of all discussions relative to obtaining informed consent are documented in the medical record. Relying solely on boilerplate, fill-in-the-blank hospital or generic consent forms that are not procedure-specific will most likely not capture all of the details of the conversation.

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