

the Public Safety Guru presents

EMT in 10 – Legal CONSENT



What is Consent?

Consent allows the EMT to provide the patient with medical attention during an emergency.

There are different types of consent which will be discussed.

Unfortunately, as with medicine, we use different words to describe the same meaning.

Example, Actual and Expressed are the same type of consent.



Consent, who can give it?

- Only a mentally competent adult can give consent.
- Children cannot give consent; however, their treatment in an emergency is considered implied.
- Consent can be revoked/withdrawn even after treatment or transport has started.



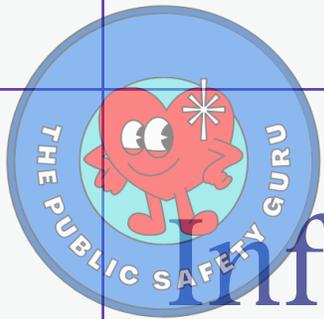
Expressed/Actual Consent

This is the consent that a mentally competent adult gives you through verbally or nonverbal (visual) cues.

What is meant by non-verbal cues is when the EMT asks the patient if they can help them and the patient nods yes instead of verbally saying yes.

In testing purposes, you may see a question which refers to consent as informed consent.

Types of consent: Expressed/Actual, Implied, and Involuntary.



Informed Consent, what is it?

As stated before, the problem with medicine is that we have so many ways of saying the same thing. Hence, why this EMT in 10 series exist.

Informed consent is all consent if that makes sense. In your text and lectures you should have learned that informed consent is when the EMT tells the patient what they want to do in regard to treatment and transport and the patient allows you to do what you need to do.

Example: You respond to a medical call, and you tell the patient that you would like to assess them, and they answer yes. You INFORMED them of what you wanted to do, and they gave you expressed/actual consent.



Implied Consent

This consent is for the person who is unconscious or incapable of making an informed decision.

It is assumed that someone who is unconscious, unable to give consent, would want treatment to save their life.

Patients suffering from intoxication due to alcohol or drugs, or a head injury should be included in this type of consent.

If treatment begins under implied consent and the patient wakes up and tells you to stop treatment, you must stop.



Involuntary Consent

This consent deals with the mentally ill, development disabled or those patients suffering from a behavioral emergency.

These calls and consent on these calls can be complicated.

An adult patient who is not mentally competent cannot give informed (express/actual) consent.

We should treat these patients like we would treat a minor and seek treatment from a caregiver or guardian.

In some cases, law enforcement may have to be called to place the person into protective custody allowing the officer to give consent. Check local regulations.



Special Considerations

Minors cannot give consent regardless of their age; however, there is one situation in which they can.

A pregnant minor can give consent for medical treatment for her pregnancy but not herself.

Check your local regulations; however, as a rule of law, 12 years or older can give consent for anything to do with their reproductive organs.

While law enforcement can place a minor in protective custody, most states have recognized the need for a first responder to provide immediate emergency care to a minor patient and allow treatment of a minor without consent from a parent/guardian.

Emancipated Minors

E.M is a someone under the Age of Consent in their state that can legally give consent for their treatment or the treatment of their children.

Married

Members of the Armed Services

They are a parent

Living away from home, responsible for themselves

Court ordered



Facts

- At the scene of an accident, you ask the passenger patient if you can take their blood pressure. The patient does not say anything but extends their arm out to you. First, is this consent and if it is what type of consent would it be.
 - Yes, this is non-verbal consent and would be considered expressed/actual.



That's Consent...

