



CMHA-CEI Policies and Procedure Manual

<b>Title:</b>	3.3.09, Consent to Treatment and Services		
<b>Subject:</b>	CONSUMER TREATMENT, TRAINING, AND LIVING		
<b>Section:</b>	Clinical		
<b>Policy:</b> <input checked="" type="checkbox"/> <b>Procedure:</b> <input type="checkbox"/>	<b>Issued by:</b> Medical Director	<b>Effective Date:</b> 02/09/84	<b>Applies to:</b> <input checked="" type="checkbox"/> All CMHA-CEI staff <input checked="" type="checkbox"/> Contract Providers
<b>Page:</b> 1 of 2	<b>Approved by:</b> Board of Directors	<b>Review Date:</b> 2/13/17	<b>Other:</b>

**I. Purpose:**

To ensure standards for obtaining informed consent for participation in treatment.

**II. Policy:**

- A. Informed consent shall be obtained from a recipient, parent of a minor recipient, or a recipient’s legal representative empowered to provide consent prior to a person’s participation in mental health services, except that informed consent shall not be required in order to provide treatment (including treatment of a minor) in order to prevent serious bodily harm, or in life threatening behavior.
- B. A minor 14 years of age or older may request and receive mental health services and a mental health professional may provide mental health services, on an outpatient basis, excluding pregnancy termination referral services and the use of psychotropic drugs, without the consent or knowledge of the minor’s parent, guardian, or person in loco parentis. Services provided to a minor in this circumstance shall, to the extent possible, promote the minor’s relationship to the parent, guardian, or person in loco parentis, and shall not undermine the values that the parent, guardian, or person in loco parentis has sought to instill in the minor.

**III. Responsibilities:**

- A. The Director of Quality Customer Service and Recipient Rights is responsible for ensuring that procedures to implement the intent of this policy are developed, reviewed, and revised as necessary.
- B. The primary clinician in charge of the written plan of service shall ensure that recipients/consumers, their guardians, and parents of minor recipients/consumers receive sufficient information to provide informed consent for treatment and services.
- C. Staff shall obtain informed consent for treatment and services from an adult, competent recipient, an empowered guardian, parent of a minor, or a minor 14 years of age or older requesting services without parental consent.
- D. When applicable, comprehension shall be evaluated prior to giving consent.
- E. An evaluation of ability to give consent shall precede any guardianship proceedings.

IV. **Definitions:**

N/A

V. **Monitoring and Review:**

This policy is reviewed annually by the Medical Director and Director of Quality Customer Service and Recipient Rights. It is monitored by accrediting bodies and regulatory agencies as applicable.

VI. **References:**

MHC 330.1752

VII. **Related Policies and Procedures:**

N/A

VIII. **Review Log:**

Review Date	Reviewed By	Changes (if any)
05/2002	-	-
05/11/04	-	-
01/31/07	-	-
12/04/07	-	-
06/15/10	-	-
02/01/12	-	-
03/10/13	-	-
05/23/14	-	-
02/13/17	QCSRR Director	Updated to new format