

Chelsea Hodgson

HI-103 Fundamentals of Law for Health Information Management

Week 4 news article response

Informed consent is a process of obtaining permission before performing a procedure, test, surgery, etc. The role that the treating physician plays is vital to the consent process. Before consent is given the patient should be well informed of the risks, side effects, benefits, etc. that the procedure, test, or surgery they are about to pursue could have. Without proper consent legal trouble could arise.

In Ms. Shinal's case the information discussed from the physician to patient seemed very minimal. Almost like the patient was not fully disclosed all the information properly. Leading to the agreed point made in the article was that a hospital has no duty to obtain a patient consent. It needs to be the physician performing the procedure, operation, etc.

I think ultimately the physician needs to be the one responsible for obtaining consent. If delegated to another qualified individual it should still be reviewed and discussed further with the patient by the treating/leading physician before the procedure takes place.