

## Informed Consent and Capacity

(1/13/06)

### TEST QUESTIONS

1. The doctrine of informed consent:
  - A. is an ethical principle that has no basis in law
  - B. promotes shared decision-making
  - C. provides that once consent is given, it cannot be revoked
  - D. requires confirmation of the patient's decision-making capacity by a psychiatrist
  - E. requires confirmation of the patient's decision-making capacity by a second physician
  
2. Therapeutic privilege refers to a decision by the:
  - A. patient to seek alternative treatment
  - B. patient to seek a second opinion
  - C. patient to waive the right to informed consent
  - D. physician to seek a second opinion
  - E. physician to withhold information from the patient
  
3. Psychiatric patients:
  - A. are presumed to lack decision-making capacity.
  - B. do not give up the right to make treatment decisions by being involuntarily committed
  - C. have the right to make treatment decisions only if they are voluntarily committed.
  - D. must get a court authorization to refuse treatment
  - E. must sign a waiver if they refuse treatment

True or False: (circle)

True    False    For a valid informed consent, there must be a written document signed by the patient.

True    False    A signed consent form constitutes a contract between the doctor and patient.

True    False    Once a patient signs a form saying she has been informed of the risks of a procedure, she cannot sue for malpractice if something goes wrong.

True    False    A lawsuit claiming lack of informed consent is a kind of malpractice suit.

4. What is the legal effect of a signed consent form? (Check all that apply)

It is a contract between patient and doctor

It is a disclaimer by doctor

It is a waiver by patient of right to sue

It is evidence that a process took place

Name \_\_\_\_\_ Date \_\_\_\_\_ Dept \_\_\_\_\_