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SECTION: Personnel	
POLICY AND PROCEDURE: Personnel Training: Informed Consent and Minors' Rights	Approved date: _____ Approved by: _____ Effective date: _____ Revised date: _____ Revised date: _____

POLICY:

Site personnel receive training and/or information on member rights that include informed consent, human sterilization consent and minors' rights to sensitive services.

PROCEDURE:

1. Written Member Rights should be available at the office site. Staff should be able to locate the written Member Rights list and explain how to use the information.
2. Staff trainings regarding member rights may be part of office staff education documented in:
 - Informal or formal inservices
 - New staff orientation
 - External training courses
3. Topics included in the trainings must include:
 - a. **Informed Consent for Human Sterilization**

Patients shall be informed about any proposed treatment or procedure that includes medically significant risks, alternate courses of treatment or non-treatment and the risks involved in each and the name of the person who will carry out the procedure or treatment. Documentation of this discussion and the signed consent shall be written and included in the member's medical record.

Note: patient rights incorporate the requirements of the Joint Commission on Accreditation of Healthcare Organizations, Title 22, California Code of Regulations, Section 70707 and Medicare Conditions of Participation.

Requirements include be are not limited to:

- Conducted by physician or physician designee
- Offered booklet published by the DHS and copy of consent form must be given to the member.
- Provided answers to any question the member may have.
- Inform the member may withdraw or withhold consent to procedure at any time before the sterilization.

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- Describe fully the available alternatives of family planning and birth control.
- Advise that the sterilization procedure is considered irreversible.
- Explain fully the description of discomforts and risks and benefits of the procedure.
- Utilize the PM330 sterilization consent form.

>Forms may be ordered directly from the DHS by placing a request to:

**Department of Health Services Warehouse
1037 North Market Blvd, Suite 9
Sacramento, Ca 95834
Fax: 916-928-1326**

Note: Department of Health Services COB Letter 87-1 Revision 2 and Title 22 Code or regulations Sections 51163 and 501305.1-513-5.7 define the Medi-Cal Sterilization and Hysterectomy Regulations and Procedures.

b. Sensitive Services/Minors Rights

- Parental consent is not required for members under the age of 18 to access pregnancy-related services, including family planning.
- ** California Law Family Code Section 6925.
- A minor who is 12 years of age or older and who may have come into contact with an infectious, contagious, or communicable disease may consent to medical care related to the diagnosis or treatment of the disease, if the disease or condition is one that is required by law or regulation adopted pursuant to law to be reported to the local health officer, or is a related sexually transmitted disease, as may be determined by the State Director of Health Services.

The minor's parents or guardian are not liable for payment for medical care provided pursuant to this section.

** *California Law Family Code Section 6926 (6920-6929).*

- A minor may consent to the minor's medical care or dental care if all of the following conditions are satisfied:
 - (1) The minor is 15 years of age or older.
 - (2) The minor is living separate and apart from the minor's parents or guardian, whether with or without the consent of a parent or guardian and regardless of the duration of the separate residence.
 - (3) The minor is managing the minor's own financial affairs, regardless of the source of the minor's income.

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- The parents or guardian are not liable for medical care or dental care provided pursuant to this section.
- A physician and surgeon or dentist may, with or without the consent of the minor patient, advise the minor's parent or guardian of the treatment given or needed if the physician and surgeon or dentist has reason to know, on the basis of the information given by the minor, the whereabouts of the parent or guardian.

*** California Law Family Code section 6922 (6920-6929).*

- **Special precautions must be taken to insure that communication regarding the medical information of a minor related to sensitive services is protected** (i.e. letters and phone calls should NOT be directed to the home without the minor's authorization).

Attachments:

Informed Consent and Human Sterilization

Sensitive Services/Minor's Rights

POLICY AND PROCEDURE: Personnel Training: Informed Consent and Minors' Rights**Informed Consent and Human Sterilization**

Patients shall be informed about any proposed treatment or procedure that includes medically significant risks, alternate courses of treatment or non-treatment and the risks involved in each and the name of the person who will carry out the procedure or treatment. Documentation of this discussion and the signed consent shall be written and included in the member's medical record.

Note: patient rights incorporate the requirements of the Joint Commission on Accreditation of Healthcare Organizations, Title 22, California Code of Regulations, Section 70707 and Medical Conditions of Participation.

Requirements include but are not limited to:

- ▶ Conducted by physician or physician's designee
- ▶ Offered booklet published by the DHS and copy of consent form must be given to the member.
- ▶ Provided answers to any questions the member may have.
- ▶ Inform the member may withdraw or withhold consent to procedure at any time before the sterilization.
- ▶ Describe fully the available alternatives of family planning and birth control
- ▶ Advise that the sterilization procedure is considered irreversible.
- ▶ Explain fully the description of discomforts and risks and benefits of the procedure.
- ▶ Utilize the PM330 sterilization consent form.
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POLICY AND PROCEDURE: Personnel Training: Informed Consent and Minors' Rights**Sensitive Services/Minors Rights**

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The minor's parents or guardian are not liable for payment for medical care provided pursuant to this section (California Law Family Code Section 6926 (6920-6929)).
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 2. The minor is living separate and apart from the minor's parents or guardian, whether with or without the consent of a parent or guardian and regardless of the duration of the separate residence.
 3. The minor is managing the minor's own financial affairs, regardless of the source of the minor's income.
 - The parents or guardian are not liable for medical care or dental care provided pursuant to this section.
 - A physician and surgeon or dentist may, with or without the consent of the minor's parent or guardian of the treatment given or needed if the physician and surgeon or dentist has reason to know, on the basis of the information given by the minor, the whereabouts of the parent or guardian (California Law Family Code Section 6922 (6920-6929)).
- ▶ Special precautions must be taken to insure that communication regarding the medical information of a minor related to sensitive services is protected (i.e., letters and phone calls should NOT be directed to the home without the minor's authorization).