



Webinar Handout Informed Consent & Refusal in Maternity Care

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What is informed consent and refusal?

Informed consent is a process of information dissemination. It involves providing the patient with sufficient, evidence-based information so she can make a decision that reflects self-determination, autonomy, and control.

- It is a process of information exchange.
- It is based upon involving patients in the decision making process.

Every pregnant woman has the right to make informed decisions about the care for herself and her fetus. Examples of judicial interventions that support patient rights:

- *Schloendorff v. Society of New York Hospitals, 1914.*
Health care provider held liable for failure to get patient's consent to surgery.
- *Salgo versus Leland Stanford Jr. University Board of Trustees, 1957.*
Health care provider held liable for withholding information necessary for making an informed decision.

The essential components of informed consent and refusal

Numerous national and international professional associations promote patients' rights to informed consent and refusal, including the American College of Physicians, American Medical Association, and March of Dimes, among others. The American College of Obstetricians and Gynecologists' (ACOG) publication *Ethics in Obstetrics* (2004) included the ACOG Committee on Ethics' statement on [Informed Consent](#) (PDF). This document details the following essential components of informed consent and refusal.

- Adequate Information
 - Provider gives diagnosis, prognosis, and alternatives, including choice of no treatment.
- Comprehension
 - Provider is aware of and understands the patient's situation/possibilities;
 - Provider uses language that is understood by the patient;
 - Patient's consent is given freely, intentionally, and voluntarily.
- Freedom of Choice
 - Patient is free of coercion/free from outside pressures;
 - Patient chooses among options and has the right to choose other than what is recommended;
 - Patient gives provider the right to perform action.

The benefits of informed patient decision making:

Benefits for Providers:

- Better patient/provider relationships
- Enhanced trust in providers
- Higher patient evaluation of providers
- Increased patient recommendations of provider to others

Benefits for Patients:

- Improved quality of life and physical and social functioning
- Enhanced emotional well-being, increased sense of empowerment and self-esteem
- Increased satisfaction
- Increased adherence to treatment plan and improved clinical outcomes
- Shorter recovery periods

Benefits for Childbearing Women:

- Lower levels of fear
- Less depressive and post-traumatic stress symptoms after birth
- More positive feelings toward newborn

About the Coalition for Improving Maternity Services (CIMS)

CIMS is a coalition of individuals and national organizations with concern for the care and well-being of mothers, babies, and families. Our mission is to promote a wellness model of maternity care that will improve birth outcomes and substantially reduce costs. This evidence-based mother-, baby-, and family-friendly model focuses on prevention and wellness as the alternatives to high-cost screening, diagnosis, and treatment programs. CIMS is a not-for-profit organization recognized as tax-exempt under Internal Revenue Code section 501(c)(3). CIMS abides by the WHO-UNICEF “International Code of Marketing of Breast-milk Substitutes.”

- [The Mother-Friendly Childbirth Initiative](#)
- [CIMS Evidence Basis for the Ten Steps of Mother-Friendly Care](#) (PDF), *The Journal of Perinatal Education*, Winter 2007

Additional Links

- [The Six Care Practices that Support Normal Birth](#), Lamaze International
- [Listening to Mothers](#) Surveys and Reports, Childbirth Connection

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