92309 Informed Consent

The plan used to obtain prior informed consent from patients to be treated by trainees or those legally able to give informed consent for the patients shall be described. It shall include, but not be limited to the following:

(a)

A description of the content of the informed consent. (1) Explanation of the role and status of the trainee, including the ready availability of the trainee's supervisor for consultation. (2) Assurance that the patient can refuse care from a trainee without penalty for such a request. (3) Identification that consenting to treatment by a trainee does not constitute assumption of risk by the patient.

(1)

Explanation of the role and status of the trainee, including the ready availability of the trainee's supervisor for consultation.

(2)

Assurance that the patient can refuse care from a trainee without penalty for such a request.

(3)

Identification that consenting to treatment by a trainee does not constitute assumption of risk by the patient.

(b)

Provision that the content of the informed consent, either written or oral, shall be

provided in a language in which the patient is fluent.

(c)

Documentation in the patient record that informed consent has been obtained prior to providing care to the patient.

(d)

Provision for obtaining witnesses to informed consent. Written informed consent must be witnessed. Oral informed consent obtained by the trainee shall have a third party document in writing that he/she has witnessed the oral consent.

(e)

Informed consent need be obtained only for those tasks, services, or functions to be provided as a pilot project trainee.

(f)

A copy of the language of the informed consent shall be included in the application.