

# Informed Consent

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Applies to: all

Policy number: 6.0.21  
Regulatory reference: 115 CMR 5.08

S:\Agency Policy\6 - Program Related Policies and Procedures\6.0.21 Informed Consent

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Informed consent is an important part of supporting the rights of people to make decisions regarding their own lives. Informed consent must be both written and verbal, and must clearly outline what is being requested, and the purposes for which that consent will be used. When obtaining written consent, the employee must clearly explain, using the individual's primary language or means of communication, what is being requested and why. Both written and verbal requests for consent must also contain a statement clearly informing the individual that they have the right to withhold consent, or to withdraw consent at any time, and that they may not be punished for withholding or withdrawing consent.

If a person has a legal or medical guardian, verbal and written consent must also be obtained from the appropriate guardian. If no legally appointed guardian exists, the person is presumed competent, and is the only required and legally binding signature. Consents will expire upon completion of the specific procedure to which it applies; in any event an informed consent shall expire one year after it is signed. Written consents must be maintained in the individual's file, and for some specific consent forms, must also be kept on file with the Human Rights Coordinator.

The following are common consents which might be required, though other consents not listed here may be required in some situations:

- Consent for Emergency Medical Treatment (Day Services & Recreation)
- Consent for Routine Medical Treatment (Residential Services)
- Authorization and Consent to Manage Funds
- Authorization and Consent to Release Photograph or Other Media
- Consent for Psychotropic Medication and Treatment Plan
- Consent for Others to Use Item Purchased by Individual
- Consent for Records Release
- Consent for Request or Release of Medical Information
- Consent for Shared Expenses
- Informed Consent for the Use of Positive Behavioral Support Plan
- Request and Consent to Secure Electronic Device(s)
- HRC Review Behavioral Plans or Guidelines
- HRC Review for Supports and Health Related Protections related to behavioral components