

POLICY

SUBJECT: Informed Consent for Health Care
NUMBER: HC-336-18
APPLICABLE TO: Somatic Health and Behavioral Health Staff

APPROVED: _____ /s/ signature on original
Sam Abed, Secretary
DATE: _____ 4/4/18

I. POLICY

The Department of Juvenile Services (DJS) ensures informed consent is obtained from the youth and parent or legal guardian for health care being rendered by DJS health care professionals to youth where required by law. The youth and parent, legal guardian or custodian are informed about health care in a language that is easily understood. If health care is rendered against a youth's will, it is only in accordance with federal and state laws and regulations.

II. AUTHORITY

- A. Md. Code Ann., Human Services, §9-203 and §9-204
- B. Md. Code Ann., Courts and Judicial Proceedings, 3-8A-02
- C. Md. Code Ann., Health General, §§20-101 to -105
- D. American Correctional Association (ACA) Standards, 4-JCF-4C-44

III. DIRECTIVES/POLICIES RESCINDED

None

IV. FAILURE TO COMPLY

Failure to comply with the Department's Policy and Procedures shall be grounds for disciplinary action up to and including termination of employment.

V. STANDARD OPERATING PROCEDURES

Standard operating procedures have been developed.

VI. REVISION HISTORY

DESCRIPTION OF REVISION	DATE OF REVISION
New policy issued.	4/4/18

III. PROCEDURES:

1. Health Care Professionals shall provide health care in the best interests of the youth as authorized in the youth's court order. If required by Maryland law, informed consent shall be obtained from the youth, parent or legal guardian by a DJS Health Care Professional for health care rendered on-site that is covered by the court order. Examples that require informed consent include consent for vaccination and psychotropic medication.
2. The Medical Director, Director of Behavioral Health or Health Administrator shall approve all consent forms used for health care rendered on-site at DJS facilities.
3. If health care treatment is provided off-site, the Health Care Professional or Health Care Practitioner providing treatment is responsible for obtaining any informed consent from the youth or parent/guardian/custodian.
4. The Health Care Professional shall inform the youth, in language the youth can understand, about all health care provided on-site by DJS staff, including but not limited to, screenings, examinations, consultations, diagnosis and/or treatment.
5. A youth may consent to medical treatment in accordance with Maryland law, Health General, §20-101 to -105.
6. If health care is rendered against a youth's will, it is only in accordance with federal and state laws and regulations.
7. A youth has the right to refuse health care in accordance with federal and state laws and regulations.

IV. RESPONSIBILITY

Health Administrator, Medical Director and Director of Behavioral Health are responsible for implementation and compliance with this procedure.

V. INTERPRETATION

The Deputy Secretary for Operations shall be responsible for interpreting and granting any exceptions to these procedures.

VI. LOCAL OPERATING PROCEDURES REQUIRED

No

VII. DIRECTIVES/POLICIES REFERENCED

No policies referenced.

VIII. APPENDICES

None



DJS POLICY AND STANDARD OPERATING PROCEDURES

Statement of Receipt and Acknowledgment of Review and Understanding

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I have received and reviewed a copy (electronic or paper) of the above titled policy and procedures. I understand the contents of the policy and procedures.

I understand that failure to sign this acknowledgment form within five working days of receipt of the policy shall be grounds for disciplinary action up to and including termination of employment.

I understand that I will be held accountable for implementing this policy even if I fail to sign this acknowledgment form.

SIGNATURE

PRINT FULL NAME

DATE

WORK LOCATION

SEND THE ORIGINAL, SIGNED COPY TO THE DIRECTOR OF THE DJS OFFICE OF HUMAN RESOURCES FOR PLACEMENT IN YOUR PERSONNEL FILE.