

SECTION	Approval date:	
Personnel	Approved by:	
POLICY AND PROCEDURE	Effective date:	
Informed Consent	Revision date:	

POLICY:

Site personnel receive training and/or information on member rights that include informed consent, human sterilization consent.

PROCEDURE:

- I. 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.
- II. Staff trainings regarding member rights may be part of office staff education documented in:
 - Informal or formal in-services
 - New staff orientation
 - External training courses

III. Informed Consent

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, Title 22, California Code of Regulations, Section 70707 and Medicare Conditions of Participation.

Requirements include but are not limited to:

- Conducted by physician or physician designee
- Offered booklet published by the DHCS and copy of consent form must be given to the member
- Provided answers to any question the member may have
- Inform the member they 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 human sterilization consent form. Forms may be ordered directly from the DHCS by placing a request to:

**Department of Health Care Services Warehouse
1037 North Market Blvd., Suite 9
Sacramento, CA 95834
Fax: 916-928-1328**

NOTE: Department of Health Care Services COB Letter 87-1 revision 2 and Title 22 code or regulations Sections 51163 and 501305.1-513-5.7 define Medi-Cal Sterilization and Hysterectomy Regulations and Procedures.

Sensitive Services

“Sensitive services” means those services that are defined as services related to sexual assault, substance or alcohol abuse, pregnancy, family planning, and sexually transmitted diseases for members 12 years of age and older.

Members 12 years of age and older may sign an Authorization for Treatment form for any sensitive services [without parental consent]. Parental or guardian consent is required for members under 12 years of age who seek substance or alcohol abuse treatment services, or for treatment of sexually transmitted diseases.

The member’s PCP should encourage members to use in-plan services to enhance coordination of care. However, members may access sensitive services [through out-of-network] without prior authorization.

“Family Planning [Sensitive] Services shall include, but not be limited to:

- Medical treatment and procedures defined as family planning services under current Medi-Cal scope of benefits.
- Medical contraceptive services including diagnosis, treatment, supplies, and follow-up.
- Informational and education services.

In compliance with Federal regulations, members have free access to confidential family planning services from any family planning provider or agency without obtaining prior authorization for these services. Access to sensitive services will be timely. Services to treat sexually transmitted diseases or referrals to substance and alcohol treatment are confidential.

EXAMPLES OF COVERED SERVICES:

1. Routine pregnancy testing
2. Elective therapeutic abortions
3. Birth control pills
4. “Morning after pill” to avoid pregnancy is approved by the FDA for emergency treatment only. Examples of emergency are rape and incest.
5. Depo-provera as routine birth control
6. Norplant, including device, insertion and removal
7. Intra-uterine device (IUD) including device, insertion and removal
8. Diaphragm
9. Contraceptive foam, male and female condoms, cervical caps, sponges, etc.
10. Elective tubal ligation
11. Elective vasectomy
12. Office visits for education and instruction for birth control, including Symptom-Thermal method, billings procedure, and rhythm method, and instruction and education regarding the methods and devices listed above.
13. STD screening, testing, diagnosis, education, and referrals for treatment
14. HIV screening, testing, diagnosis, education and referrals for treatment