Welcome to the final chapter of the Health Care Consent Module. During this chapter you will have the opportunity to complete the questions and scenarios from chapters 1 to 3.

Completing chapter 4 may be used for self-review, to help you assess your own understanding and to identify areas that may require additional review. This chapter may be completed on its own, but it does not replace the opportunities to learn from the previous three chapters. Additionally, the completion of the E-Learning module on consent does not replace the review of the Briefing Note to the Health Care Consent Act or the Health Care Consent Act itself.

After the conclusion of this chapter please let us know what you thought about this chapter by completing a brief survey.
Chapter 4 of the Health Care Consent E-Learning Module contains seven ‘Test Your Knowledge’ questions. Additionally, questions related to 11 case scenarios are also included in this chapter.

You may leave this chapter at any time to return to a previous chapter for additional review.

Let’s begin…
Match the type of consent with the most appropriate law.

To answer, click a law on the left, then drag and release it over the matching statement on the right.

Once you have completed your selections, click submit.
Answers to Question 1:

HCCA – 2
Under the HCCA, a physiotherapist must obtain informed consent prior to providing treatment.

PHIPA – 3
Under PHIPA, a physiotherapist must obtain consent from the patient in order to release a patient’s personal health information to a third party. There are some special circumstances where formal consent is not required. Please see the Briefing Note for Physiotherapists – Privacy Requirements in Ontario.

PIPEDA – 1
Sharing information that is defined as personal information requires consent under the federal statute PIPEDA.

Common Law – 4, 2
Common law encompasses the need to obtain consent for a variety of activities including assessments and treatments.
Read this statement and decide if the answer is true or false.

Once you have made your selection, click submit to continue.
After 2 sessions of ultrasound a patient decides she does not want to continue the treatment. When obtaining her original informed consent, the physiotherapist explained that she might require 6-10 sessions to see positive results. The patient understood and agreed to this treatment. Can consent be withdrawn now that the treatment plan is being carried out?

Choose the correct response and click submit to continue.

Correct:
Consent is an ongoing process. A patient may decide to consent to a course of treatment at one visit, then withdraw their consent at a subsequent visit or even later during the same visit. The physiotherapist must follow the patient’s decision.
The health care practitioner proposing the treatment is responsible for determining if the patient is capable to provide consent.

Choose the correct response, then click submit to continue.
Edith, 89, lives independently in an apartment.

The physiotherapist that has assessed Edith in her home has determined that she does not have the capacity to provide consent for her physiotherapy treatment.

The physiotherapist needs to advise Edith of her determination of incapacity and include Edith in the decision-making to the extent that this is reasonably possible.
Because Edith is alone when the physiotherapist performs her assessment, the physiotherapist can initiate the treatment and find a substitute decision-maker later.

Choose the correct response and click submit to continue.
Edith asks her daughter, Jane, to speak with the physiotherapist. Jane tells the physiotherapist that she is responsible for making her mother's health care decisions.
How should the physiotherapist confirm that Jane is the substitute decision-maker?

Select the most correct answer and click submit to continue.
After a few sessions with Edith, the physiotherapist is concerned about her pain medication. Edith has mentioned that the ‘pills make no difference’ and she is spending greater periods of time in bed. The physiotherapist’s concern has prompted a call to the family doctor to discuss Edith’s symptoms.
When the physiotherapist shares Edith’s subjective information, observations, and clinical opinions with the doctor, what consent law should be considered?

Select the most appropriate response and click submit to continue.
Let’s look at an example…

Consider Joanne, a physiotherapist treating a child with cerebral palsy. Joanne has recently taken a course that offers an alternative way to address the increased tone in the child’s leg muscles. She has already determined that the young child does not have the capacity to consent to this treatment so Joanne speaks with the parents, the substitute decision-makers.
Scenario 3 – Part 2

Joanne is so convinced of the effectiveness of this treatment that she doesn’t think to tell the parents about some of the treatment alternatives. As well, Joanne describes the potential benefits in great detail but omits the potentially painful side effects.

Joanne is so convinced of the effectiveness of this treatment that she doesn’t think to tell the parents about some of the alternatives to this treatment. As well, Joanne describes the potential benefits in great detail but omits the potentially painful side effects.
Based on this example, try to answer the following questions. Click on ‘submit’ once you have selected your answer.

If the parents agree to the treatment, will consent be fully informed?
Has the physiotherapist misrepresented the treatment in any way?
Janet was asked to treat Dave’s patients because he called in sick. She reviewed the charts and noted what treatments were provided. In each chart Dave has documented that he obtained informed consent for the treatment plan.

Janet was asked to treat Dave’s patients because he called in sick. She reviewed the charts and noted what treatments were being provided. In each chart Dave has documented that he obtained informed consent for a treatment plan.
Read through the following statements and select the most correct answer. Click submit to continue.
Let’s work through an example.

Vivian just had a knee replacement yesterday. At the pre-admission clinic, Vivian received information about the surgery and the treatment that would be required afterwards including the physiotherapy care map. She asked a few questions and agreed to the plan.

Muhammad is the physiotherapist that visits Vivian the day after surgery to assess Vivian and begin the treatment protocol.

Muhammad reviews the chart and notes that the patient reacted poorly to the anaesthetic. When he arrives at Vivian’s room she is confused, aggressive and uncooperative. Vivian refuses treatment.

Vivian just had a knee replacement yesterday. At the pre-admission clinic, Vivian received information about the surgery and the treatment that would be required afterwards including the physiotherapy care map. She asked a few questions and agreed to the plan.

Muhammad is the physiotherapist that visits Vivian the day after surgery to assess Vivian and begin the treatment protocol. Muhammad reviews the chart and notes that the patient reacted poorly to the anaesthetic. When he arrives at Vivian’s room she is confused, aggressive and uncooperative. She is, in effect, refusing treatment.
In this scenario Vivian is refusing treatment that she consented to during the pre-admission clinic, but now her capacity is reduced. What should Muhammad do?

- A) Follow Vivian’s original consent and provide the treatment.
- B) Ask the nurse to page him when Vivian is feeling better.
- C) Identify and contact Vivian’s substitute decision-maker for direction.

In this scenario Vivian is refusing treatment that she consented to during the pre-admission clinic. Her capacity is reduced following surgery.

Read the statements and select the most appropriate action, then click submit to continue.
In this scenario Vivian is refusing treatment that she consented to during the pre-admission clinic, but now her capacity is reduced. What should Muhammad do?

- A) Follow Vivian’s original consent and provide the treatment.
- B) Ask the nurse to page him when Vivian is feeling better.
- C) Identify and contact Vivian’s substitute.

Correct:
Even though Vivian previously consented, she is now incapable and a substitute decision-maker is needed to determine the course of action to be followed.

In this scenario Vivian is refusing treatment that she consented to during the pre-admission clinic. Her capacity is reduced following surgery.

Read the statements and select the most appropriate action, then click submit to continue.
Zoe, the physiotherapist support person, is supervising Ajay, a patient, while he is crutch walking. The physiotherapist has already obtained consent for treatment and for Zoe’s participation in treatment.

While Zoe and Ajay are walking together Ajay has questions about the treatment for his fractured femur.
Read the three statements and select the most appropriate response. After selecting your response, click on submit to continue.
Test Your Knowledge - Question 13:
A physiotherapist will determine if the patient is capable to provide consent to their proposed treatment by:

- A) Asking the patient’s doctor if the patient is capable.
- B) Hiring a person to assess the patient’s capacity.
- C) Using professional judgment.

Correct.
The physiotherapist should use their professional judgment to determine the patient’s capacity. The physiotherapist may observe behaviours that will influence this decision.

Read the statements and select the most correct answer and click submit to continue.
An 80 year old patient, Mrs. Tam has declined a treatment proposed by Jim, the physiotherapist. He has explained that this treatment is the most effective treatment available for the condition. Jim has explained the side effects, benefits and the associated risks of declining the treatment. He believes Mrs. Tam is making a bad decision.

Select the most correct response and click submit to continue.
An 80 year old patient, Mrs. Tam has declined a treatment proposed by Jim, the physiotherapist. He has explained that this treatment is the most effective treatment available for the condition. Jim has explained the side effects, benefits and the associated risks of declining the treatment. He believes Mrs. Tam is making a bad decision.

Select the most correct response and click submit to continue.
A substitute decision-maker has the right to access the information necessary to make an informed decision.

Select a response and click on submit to continue.
Take a moment to answer a question about expressed wishes. Once you have selected the correct answer, click on submit to continue.
Test Your Knowledge - Question 17:
A person must be at least 16 years old to provide consent to treatment.

- A) True
- B) False

Correct.
The Health Care Consent Act does not define an age that a patient is capable of providing informed consent.

Select either ‘true’ or ‘false’ as your response and click on submit to continue.
In scenario 8, Peter obtains informed consent from Jacob, a patient with early Alzheimer’s. Although Jacob is forgetful, Peter deems him capable to provide consent for the following course of treatment:

- Strengthening exercises for the lower extremities
- ROM exercises for the upper and lower extremities
- Balance exercises

Peter’s discussion includes how treatment will progress, the equipment to be used (weights and resistance band) and the personnel that will be involved in treatment. During this session Jacob’s wife, Irene, is also present.
After several treatments, Peter believes that Jacob will benefit from walking on a treadmill.

Does Peter need to obtain informed consent for this treatment?

- A) Yes
- B) No

Correct.
Although this may be a natural progression for Jacob, Peter did not discuss the use of a treadmill as part of the original plan. Consent is an ongoing process and requires additional discussion as new treatments are being proposed.
In the second scenario we meet Mrs. Smith who arrives for her first visit at a clinic. She has never seen a physiotherapist before this day. The friendly receptionist hands her a clipboard and politely asks her to fill out the forms while she waits for the physiotherapist.

Mrs. Smith takes a look at the five detailed sheets and feeling a bit overwhelmed, sits down to start on the paperwork.

Have you ever experienced this scenario as a patient or a practitioner?
One of the forms relates to consent for the assessment and treatment. Mrs. Smith signs a statement that she agrees to the care that the physiotherapist will provide, she will ask questions if necessary and she can withdraw consent at anytime.

Reid, her physiotherapist, escorts Mrs. Smith from the waiting room to an assessment room and starts taking Mrs. Smith’s history.

Mrs. Smith does not want to interrupt Reid so she doesn’t bother asking any questions about the forms she completed.
In the next two slides you have been provided with statements about scenario 2. After reading the statement, please select ‘true’ or ‘false’ then click submit to continue.
Scenario 9 - Question 20:
Informed consent was obtained because Mrs. Smith was informed that she could ask questions at any time and withdraw consent at any time.

- A) True
- B) False

Correct.
Although she signed a statement acknowledging that questions could be asked and consent withdrawn, without discussing the risks, benefits, side-effects and alternatives of the treatment being proposed, the process is incomplete and not truly informed.
The next scenario highlights the issues of obtaining consent when assigning treatment to support personnel and the documentation of consent.

Katie provided information about the treatment plan to Sue, the patient. She included the possible risks, benefits, side effects and alternatives to the proposed treatment. As well, Katie gave Sue information about the role of the support person that Katie planned to assign portions of care.

Sue consented to the treatment, including the use of support personnel. Following this process, Katie documented the following: “Consent was discussed and obtained”.
Did Katie document enough information in the chart to indicate that informed consent was obtained?

While the Standard for Professional Practice – Record Keeping indicates that consent must be documented, the standard does not indicate how this should appear in the patient’s record.

Physiotherapists should follow a consistent consent process and consider documenting that process in a policy and procedure manual.

For treatments of higher risk, more details about the consent process may be warranted.
Kate, the physiotherapist, has received an order to see Mr. Lum, an elderly gentleman who initially came unaccompanied to the emergency department with a productive cough and fever. Medical examination and tests confirm a diagnosis of right lower lobe pneumonia.

Kate enters the room and observes an older, frail looking gentleman who is nodding pleasantly. It becomes quickly apparent that Mr. Lum does not understand or speak any English.
Kate approaches the bedside and Mr. Lum takes his arms from his gown and leans forward in the bed implying that she can listen to his chest.

Kate conducts a respiratory assessment, identifies abnormal breath sounds and determines that ‘chest physiotherapy’ is indicated for Mr. Lum.

Under the Health Care Consent Act, Kate is obligated to obtain informed consent for treatment from Mr. Lum prior to initiating treatment.
Scenario 11 - Question 21:
This patient could be incapable.

☐ A) True
☐ R) False

Correct.
This patient could be incapable but it can not be determined until an interpreter is available to assist the physiotherapist.

Read the statement on the slide and decide if it is accurate by selecting either True or False. Once you have made your selection, click submit.
Scenario 11 - Question 22:
The patient’s age and the language barrier indicate that he is likely incapable to provide consent.

- A) True
- B) False

Correct.
Age and the inability to communicate do not constitute incapacity on the part of the patient.
Scenario 11 - Question 23:
The PT should find someone to interpret to obtain informed consent.

- A) True
- R) False

Correct.
Before providing treatment the physiotherapist needs to find an interpreter to obtain informed consent from the patient. If the physiotherapist determines via the interpreter that the patient is incapable, then the physiotherapist will need to obtain consent from a substitute decision-maker.
Scenario 11 - Question 24:
The PT acted on implied consent to assess the patient.

- A) True
- ☐ R) False

Correct.
In this situation, it seems reasonable for the physiotherapist to interpret the patient’s actions prior to the initiation of the chest assessment as implied consent.
Click on the references to be linked to the corresponding documents.
If you have any questions related to this module, please contact the Practice Advisor.
Consent Learning Module

1. An Overview of the Legislation
2. Key Principles of Consent
3. Consent as it Applies to a Physiotherapist’s Practise
4. Test Your Knowledge √
We are very interested to hear your feedback on this chapter of the Consent E-Learning Module. Please use the link on the screen to complete a very short online survey.

Thank you.