

DEPARTMENT OF SOCIAL SERVICES

CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

September 3, 2013

MEMORANDUM

What's Inside:

Informed Consent

TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS, AND CHILDREN'S DIVISION STAFF

FROM: CANDACE A. SHIVELY, DIRECTOR

SUBJECT: INFORMED CONSENT

DISCUSSION:

The purpose of this memorandum is to provide education to staff about informed consent, which is defined as the consent to treatment given after the individual, parent, and/or legal guardian has received sufficient information about the risks and benefits of a prescribed or recommended treatment. Every individual has the right to receive information regarding prescribed tests or treatments, including risks and benefits prior to making an informed decision about whether to consent to or refuse the test or treatment.

In order for children in the custody of the Children's Division (CD) to receive appropriate health or mental health services, staff shall facilitate the informed consent process by involving the resource providers, older youth, and the parents/caregivers, unless parental rights are terminated. If the parents are unavailable for consultation regarding the provision of necessary treatment for their child, staff and/or resource providers will make healthcare decisions on behalf of the child. If the resource provider gives the consent for healthcare, they will notify the case manager regarding the treatment provided. Parents should be informed as soon as possible about the healthcare given and the need for any follow-up care. If the parent refuses to consent to medical treatment or procedures, staff should consult with the prescribing healthcare provider. If the treatment is determined to be "ordinary and necessary" to protect the child from harm and receiving the treatment is in the best interest of the child, the worker or resource provider may provide consent for the treatment without parental permission.

For more information regarding informed consent, and exceptions to informed consent, see [Section 4 Chapter 24.2](#) of the Child Welfare Manual.

NECESSARY ACTION:

1. Review this memorandum with all Children's Division staff.
2. Review revised Child Welfare Manual chapters as indicated below.
3. All questions should be cleared through normal supervisory channels and

directed to:	
PDS CONTACT:	PROGRAM MANAGER: Christy Collins (573) 751-9603 Christy.Collins@dss.mo.gov
CHILD WELFARE MANUAL REVISIONS: Section 4 Chapter 24.2 Medical Information to be Obtained when Child Enters Care	
FORMS AND INSTRUCTIONS N/A	
REFERENCE DOCUMENTS AND RESOURCES N/A	
RELATED STATUTE N/A	
ADMINISTRATIVE RULE N/A	
COUNCIL ON ACCREDITATION (COA) STANDARDS PA-CR 1 Protection of Rights and Ethical Obligations PA-FC 10 Physical and Mental Health Care PA-KC 10 Physical and Mental Health Care	
CHILD AND FAMILY SERVICES REVIEW (CFSR) N/A	
PROTECTIVE FACTORS Parental Resilience-N/A Social Connections-N/A Knowledge of Parenting and Child Development-N/A Concrete Support in Times of Need-N/A Social and Emotional Competence of Children-N/A	
FACES REQUIREMENTS N/A	