

Consent to Medical Care

When you were placed in care, the court or DFPS designated an individual to “consent” to, or agree with, medical care decisions recommended by your doctor. Examples of medical care recommendations are:

- medical tests
- medications
- treatments that do not require surgery
- surgery

When you turn 16, or if you were 16 when you came into care, you have the right to request to make some or all of your own medical decisions. If you make this request, you will be able to go to a court hearing to ask the judge yourself or your attorney-ad litem can ask the judge to approve this.

If the judge decides that you are capable of making these decisions and agrees with your request, you **must** let your CPS caseworker know about your medical care. Your caseworker **must** report to the court about your medical care/needs. If you fail to keep your caseworker informed your right to make medical decisions may be taken away.

Also, if it appears that you fail to make medical decisions which are in your own best interest, your caseworker will notify their supervisor and try to resolve the issue with you. If the issue cannot be resolved, your court appointed attorney will be notified and the judge will be asked to make a ruling.

Informed (def) Consent (def)

In order for you to make good medical care decisions you need to understand as much as possible about all the information related to your particular need or problem.

You cannot make good decisions without good (and complete) information!

You need to know and understand:

- the nature of your problem or need (what the doctor would call the “diagnosis”).
- the nature and purpose of the proposed treatment or procedure.
- the risks and benefits of the proposed treatment or procedure.
- reasonable alternatives to the proposed treatment or procedure.
- the risks, benefits, and uncertainties related to each alternative.
- the risks and benefits of not having any treatment or procedure.