The Standards of Practice of the College of Physicians & Surgeons of Alberta (“CPSA”) are the minimum standards of professional behavior and ethical conduct expected of all regulated members registered in Alberta. Standards of Practice are enforceable under the Health Professions Act and will be referenced in the management of complaints and in discipline hearings. CPSA also provides Advice to the Profession to support the implementation of the Standards of Practice.

1. A regulated member must obtain a patient’s informed consent prior to an examination, assessment, treatment or procedure; such consent may be implied, expressed orally or in writing as appropriate.

2. If a patient is under the age of 18 years, a regulated member must:
   
   a. determine whether the patient is a mature minor with the capacity to give informed consent; and

   b. if the patient is not a mature minor, seek informed consent from the patient’s legal guardian, in accordance with legislation.

3. If an adult patient lacks capacity to give informed consent, a regulated member must seek informed consent from the patient’s legal guardian or substitute decision maker, in accordance with legislation.

4. A regulated member who has reasonable grounds to believe an informed consent decision by a legal guardian or substitute decision maker is not in the best interests of the patient must seek legal advice, such as from the Canadian Medical Protective Association, or advice from CPSA.

5. A regulated member obtaining informed consent from a patient, or the patient’s legal guardian or substitute decision maker, must ensure the decision maker:
   
   a. is aware of his/her right to withdraw consent at any time;

Terms used in the Standards of Practice:

- “Regulated member” means any person who is registered or who is required to be registered as a member of this College. The College regulates physicians, surgeons and osteopaths
- “May” means that the physician may exercise reasonable discretion
- “Patient” includes, where applicable, the patient’s legal guardian or substitute decision maker

Informed Consent
b. is free of undue influence, duress or coercion in making the consent decision;

c. receives a proper explanation that includes, but is not limited to:

i. diagnosis reached;

ii. advised interventions and treatments;

iii. exact nature and anticipated benefits of the proposed examination, assessment, treatment or procedure;

iv. common risks and significant risks;

v. reasonable alternative treatments available, and the associated common risks and significant risks;

vi. natural history of the condition and the consequences of forgoing treatment; and

d. demonstrates a reasonable understanding of the information provided and the reasonably foreseeable consequences of both a decision and a failure to make a decision.

6. A regulated member who assesses the capacity of a patient to give informed consent must:

a. use accepted capacity assessment processes;

b. to the extent possible, conduct the capacity assessment at a time and under circumstances in which the patient is likely to be able to demonstrate full capacity; and

c. inform the patient of the nature and consequences of the capacity assessment.

7. A regulated member obtaining informed consent for a patient to participate in health research must comply with CPSA’s Human Health Research standard of practice.
A regulated member may delegate responsibility for obtaining informed consent to another healthcare professional only when confident the delegate has the appropriate knowledge, skill and judgment to meet the expectations of this standard.

RELATED STANDARDS OF PRACTICE

- Code of Ethics & Professionalism
- Human Health Research
- Medical Assistance in Dying
- Responsibility for a Medical Practice
- Supervision of Restricted Activities

COMPANION RESOURCES

- Advice to the Profession: Informed Consent for Adults
- Advice to the Profession: Informed Consent for Minors
- Advice to the Profession: Legislated Reporting & Release of Medical Information
- Office of the Public Guardian’s Guide to Capacity Assessment under the Personal Directives Act
- Office of the Public Guardian’s Resources for Capacity Assessors
- CMPA’s Consent: A guide for Canadian Physicians
- CMPA’s Informed consent: Overview and objectives
- CMPA’s Informed consent: Why and when do we need consent?

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i See CPSA’s Advice to the Profession: Informed Consent for Adults and Informed Consent for Minors.

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- "Regulated member" means any person who is registered or who is required to be registered as a member of this College. The College regulates physicians, surgeons and osteopaths.
- "Must" refers to a mandatory requirement.
- "May" means that the physician may exercise reasonable discretion.
- "Patient" includes, where applicable, the patient’s legal guardian or substitute decision maker.