Manual: Hospital and Hospital Clinics
Chapter: Rights and Responsibilities of the Individual RI
Topic: Informed Consent – Other Practitioners or Students Performing Tasks Related to Surgery, or Examinations or Invasive Procedures

What are the informed consent requirements when other practitioners or health profession students will be performing important tasks related to surgery, or intimate/sensitive examinations or invasive procedures for educational or training purposes?

Any examples are for illustrative purposes only.

Scenario 1: Important tasks related to surgery, or

intimate/sensitive examinations or invasive procedures involving sedation or anesthesia may be performed by another physician, an advanced practice provider, medical student, or other health profession student for educational or training purposes. The hospital's policy includes the following:

- The informed consent discussion includes informing a patient when important tasks related to surgery, or an intimate/sensitive examination or invasive procedure that INVOLVE sedation or anesthesia may be performed by another physician, an advanced practice provider, medical student, or other health profession student for educational or training purposes.
- A signed consent form is obtained that includes this information.

Scenario 2: Important tasks related to surgery, or an intimate/sensitive examination or invasive procedure that DOES NOT involve sedation or anesthesia may be performed by another physician, an advanced practice provider, medical student, or other health profession student for educational or training purposes. The hospital's policy includes the following:

- The informed consent discussion includes informing the patient when important tasks related to surgery, or an intimate/sensitive examination or invasive procedure that does NOT involve sedation or anesthesia may be performed by another physician, an advanced practice provider, medical

student, or other health profession student for educational or training purposes.
- A note must be entered into the medical record that the informed consent discussion included informing the patient that another physician, an advanced practice provider, medical student, or other health profession student may perform tasks related to surgery, or an intimate/sensitive examination, or an invasive procedure for educational or training purposes. A signed informed consent form may be used in lieu of a note but is not required, unless required by HCO policy.

In both scenarios, documentation of consent is required.

Examples of health profession students may include, but not limited to:

- Residents
- Medical students
- Advanced practice providers
- Anesthesia providers
- Surgical techs
- First assists
- Nurse Practitioner
- Physician Assistant

Examples of important surgical tasks may include, but not limited to:

- opening and closing
- dissecting tissue
- removing tissue
- harvesting grafts
- transplanting tissue
- administering anesthesia
- implanting devices
- placing invasive lines

Examples of intimate/sensitive examinations or invasive procedures may include, but not limited to:

- breast exams
- pelvic exams
- prostate exams
- rectal exams
- others as specified by state law

Additional Resources

US Centers for Medicare & Medicaid Services' (CMS): Memo QSO-24-10-Hospitals

Last updated on August 14, 2024 with update notes of: Reflects new or updated requirements

First Published Date: July 29, 2024

Last Reviewed Date: August 14, 2024

Last Major Update: August 14, 2024