

# FOOTHILLS GATEWAY, INC.

## Consent

### **POLICY:**

It shall be the policy of Foothills Gateway, Inc. that, to ensure due process of law, consent, as defined in the Rules and Regulations of the Division for Intellectual Developmental Disabilities (DIDD), shall be obtained in all circumstances where it is required.

### **PROCEDURE:**

“Consent” means an informed assent which is expressed in writing and is freely given.

The following circumstances require consent:

1. The designation of an Authorized Representative must occur with informed consent of the person receiving services or the parent or guardian of a minor or legal guardian of an adult.
2. The use of any medication for the purpose of behavior modification.
3. Any Individual Service and Support Plan (ISSP) that includes a restrictive procedure.
4. The use of any restraint for specific circumstances.
5. Any experimental research.

In cases where consent is necessary, the person/legal guardian will be given:

1. A fair explanation of the procedures to be followed, including an identification of those which are experimental;
2. A description of the anticipated benefits to be expected;
3. A description of the possible complications, attendant discomforts, and risks;
4. A disclosure of appropriate alternative procedures that would be advantageous to the person;
5. An offer to answer any inquiries concerning procedures;
6. Information on how to withdraw his/her consent and the discontinue participation in the program or activity at any time; and,
7. Written notification that withholding or withdrawing of consent will not prejudice future provision of services and supports.

In addition:

1. The consent agreement shall not require the person to waive any of his/her legal rights or to release the agency or any other party from liability.
2. If the Interdisciplinary Team (IDT) has a question about the person’s ability to give consent, and he/she is his/her own legal guardian, the Human Rights Committee (HRC) will review and make recommendations on any proposed action requiring consent.
3. The Human Rights Committee as defined in the HRC policy and procedure shall review all action requiring consent on a regular basis.