

# HONG KONG LEGAL NURSE CONSULTANTS

( 香港法護顧問學會 )

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(CNE 視像學習課程) ZOOM-Video seminar (CNE Course for Nurses)

**Part 7 (Condensed course) INFORMED CONSENT FOR OPERATION (證書課程)**

**Tailor made MEDICO-LEGAL LECTURE FOR MASTER OF NURSING PROGRAMME**

UNIVERSITY OF HONG KONG

**Part 7 Lectures “Highlight”** :MAIN THEME: RECENT UPDATING ON HOSPITAL AUTHORITY INFORMED CONSENT FOR OPERATION/PROCEDURE/TREATMENT AND GUARDIANSHIP (HA VERSION:2.0 @26/02/2018). RELATED LEGAL PRINCIPLE AND MOST UPDATING CASE LAW WILL BE DISCUSSED.

[A] (1) The need for Informed Consent – Criminal liability and civil liability on the part of the treating doctors and the Hospital Authority(HA).(2) Emergency treatment without consent.(3) Valid informed consent.(4) Procedures for obtaining consent(5) The need for a witness;(6) Competences to give consent;(7) Formal assessment of capacity;(8) Providing “sufficient information”;(9) “Refusal” and “consent”;(10) Refusal to receive blood transfusion; (11) Children under 18 and adult;(12) Refusal by a competent minor;(13) Unreasonable refusal by parent of incompetent minor;(14) Competent minor and his request on confidentiality;(15) Parental responsibility in a divorce situation;(16) Part IVC Mental Health Ordinance – MIPO consent or refuse consent for treatment;(17) “Guardianship Board” – Power of a Guardian and application of Guardianship;(18) The best interest of the patient Vs. medical interest;(19) Two MO Emergency treatment under Section 59ZF(1) MHO; (20) Common Law Position – Assessment of competence for Medical Treatment;(21) MIP refusal of consent for treatment;(22) Psychiatrist’s involvement;(23) Gillick Competent cases; (24) Frequently asked questions on consent;(25) What is “in the best interests” under the Law?(26) Valid period of a “Consent Form” and “reconfirmation of consent Form”? (27) Witten consent, oral consent and implied consent?(28) Documentation and consent;(29) Withdrawal of consent by patients;(30) Providing “sufficient information” to patients;(31) Refusal by a competent minor;(32) Explanation and providing information to patient by “intern” ? by “nursing staff” or by other MOs? [B]:Guardianship (監護令) [C]:Current case law study. 【真實個案/案例】