



‘SOP on Patients Consent 2022 Global’

Consent in medical law:

‘Patient’s autonomy’ - the right of the patient to decide on his healthcare preferences, especially in case of an anticipated surgery / procedure is a well-recognised principle of modern law. Failure to take proper consent impacts patients’ safety adversely and is therefore held as malpractice, negligence, deficiency of service, and / or misconduct across jurisdictions.

Consent essentially is procedural and has little to do with the science or practice of medicine. One big reason for improper consent is the lack of knowledge / awareness about appropriate protocols, especially in case of unanticipated exigencies and contingencies faced by the doctor in his day-to-day practice. This shortcoming requires appropriate solutions which are applicable and relevant to the practitioners of modern medicine across the globe.

The Indian initiative:

In 2013, Institute of Medicine & Law facilitated a unique, transparent, and collaborative exercise of drafting a ‘SOP on Patients Consent’ in India. Since then it is being reviewed and updated annually. This SOP is comprehensive, practically useful, legally compliant and freely available on www.patientsconsent.com. Eminent doctors, lawyers, judges, medical associations, hospitals, and editors of medical and legal journals participate in this exercise.

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The Global Initiative:

The SOP (Indian version) is not only downloaded by doctors, hospitals, and patients from India but also from across the globe for the past 8 years. We have been receiving requests from many countries to initiate and facilitate a similar exercise resulting in a universally acceptable SOP on Patients Consent and we are now starting to work on the same.

The proposed exercise will draft and finalize a minimum common denominator or ‘gold standard’ on consent that is in tune with the current, globally acceptable, good clinical practices. The objective is to provide a unified reference point for the global medical fraternity on issues relating to consent; enhance patients’ safety, and bring efficiency, consistency, reliability, and quality in the healthcare delivery; and



help in reducing miscommunication and medical errors. It could also be a valuable tool in resolving conflicts between patients and HCPs.

The challenge in coming out with such a globally acceptable protocol is in providing adequate information yet keeping it flexible enough to bridge the differences between disparate jurisdictions and ensuring that it remains practical and implementable.

An Invitation For Participation:

To take the aforesaid further, we are inviting important and learned members of the global medical fraternity to participate in this year's exercise of updating the SOP on Patients Consent 2022 (Global version). We will start this online exercise from 1-11-2022. It usually takes around 5-8 weeks to complete the same.

We are confident that your valuable suggestions and feedback on drafting a global SOP on Patients Consent will be of utmost help to the medical fraternity, patients and the global community as a whole.

Let us take this step together for the betterment of healthcare and for the safety of patients.