



Consent to Nutrition Care Policy

Date created: September 14, 2010

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Date last reviewed by the Board: June 23, 2020

Authority

Health Professions Act, section 16(2)(g); Health Care (Consent) and Care Facilities (Admission) Act, Infants Act, Mental Health Act, Patients Property Act and Representation Agreement Act.

Background

One of the duties and objectives of a college legislated under the *Health Professions Act* is to inform individuals of their legal rights, including consent to health care legislation.

Policy

1. Dietitians have a legal obligation to understand rights and elements of consent to nutrition care. Key legislation concerning consent to nutrition care: *Health Care (Consent) and Care Facilities (Admission) Act, Infants Act, Mental Health Act and Representation Agreement Act*. Other pertinent legislation regarding consent to nutrition care: *Adoption Act, Adult Guardianship Act, Child, Family and Community Service Act, Patients Property Act, and Public Health Act and Communicable Disease Regulation*.
2. The ethical obligations of Dietitians to obtain consent are outlined in Standard 1 of the Dietetic Code of Ethics.
3. The Dietitian must inform the client or substitute decision maker on the nature, purpose and risk of the nutrition care, alternatives and the consequences of refusing nutrition care (risks, benefits, and side effects to help the client make an informed decision).
4. Consent may be granted for a course of treatment or nutrition care plan (e.g. overall parenteral or enteral feed; modified texture diet; diabetic diet, etc.) If there is a change in the nutrition care plan (e.g. transitioning from enteral nutrition to oral intake; minced texture diet to regular food, etc.), consent to the new nutrition care is required.
5. The Dietitian may need to determine the client's ability to consent to/refuse nutrition care based on the client's understanding of the information discussed in point 3. If the client is incapable of giving consent, the Dietitian must refer to the client's substitute decision maker to obtain consent.
6. The Dietitian must communicate in a manner appropriate for the client's skills and abilities and provide opportunities for the client to ask questions.
7. Consent/refusal may be obtained in writing, verbally or may be implied from the client's words or actions (e.g. a nod of the head).



8. Consent/refusal must be documented in the patient's clinical record, according to facility policy.
9. Consent/refusal to nutrition care is a dynamic process that requires renewal (re-confirmation) as the client's treatment changes. Consent should be renewed if more than 12 months have passed since the last consent was given (e.g. client seen in private practice).
10. Consent is not required:
 - a. for preliminary examination, treatment or diagnosis
 - b. for urgent or emergency health care
 - c. when the health care that was consented to is in progress
 - d. when the client is unconscious or semi-conscious, and
 - e. when additional or alternative health care is medically necessary to deal with conditions that were unforeseen when consent was given.

References

- BC Laws. Health Care (Consent) and Care Facilities (Admission) Act: https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96181_01.
- BC Laws. Infants Act. https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96223_01.
- BC Laws. Mental Health Act. http://www.bclaws.ca/civix/document/id/complete/statreg/96288_01.
- BC Laws. Representation Agreement Act. http://www.bclaws.ca/civix/document/id/complete/statreg/96405_01.
- BCCNM, Consent: Practice Standards. <https://www.bccnm.ca/Search/Pages/consent.aspx>.
- CHCPBC Bylaws. <https://chcpbc.org/about/#bylaws>.
- CHCPBC Dietetic Code of Ethics. <https://chcpbc.org/for-professions/Dietitians/resources/>.
- CHCPBC Dietetic Consent to Nutrition Care Guidelines. <https://chcpbc.org/for-professions/Dietitians/resources/>.
- CHCPBC Physical Therapy, Consent to Treatment. <https://chcpbc.org/for-professions/physical-therapists/resources/>.
- CHCPBC Physical Therapy, Practice Standard, Consent to Treatment. <https://chcpbc.org/for-professions/physical-therapists/resources/>.
- Ministry of Health. July 2011. Health Care Providers' Guide to Consent to Health Care. <http://www.health.gov.bc.ca/library/publications/year/2011/health-care-providers%27-guide-to-consent-to-health-care.pdf>.