

CHAPTER 67 GENERAL AND INFORMED CONSENT

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REFERENCES: A.R.S. § 8-514.05(C), A.R.S. § 15-104, A.R.S. § 36-501 et seq, A.R.S. § 36-2272, A.A.C. R9-21-206.01, AHCCCS Medical Policy Manual (AMPM) Policy 310-V, and AMPM Policy 320-Q.

PURPOSE

The purpose of this policy is to outline the requirements for reviewing and obtaining General and Informed Consent for members receiving physical and/or behavioral health services.

DEFINITIONS

1. “General Consent” means a one-time agreement that shall be obtained from a member or the member’s responsible person to receive certain services, including but not limited to behavioral health services, that is usually obtained during the intake process at the initial appointment and is always obtained prior to the provision of any behavioral health services.
2. “Informed Consent” means an agreement to receive physical or behavioral health services following the presentation of facts necessary to form the basis of a consent by a

member or the responsible person with no minimization of known dangers of any procedures.

POLICY

A. MEMBER RIGHTS

1. Each member has the right to participate in decisions regarding their physical and/or behavioral health care, including the right to refuse treatment.
2. Members seeking physical or behavioral health services shall be made aware of the service options and alternatives available to them, as well as specific risks and benefits associated with these services in order to be able to agree to these services.

B. GENERAL CONSENT

1. Unless otherwise provided by law, General Consent shall be obtained before any services and/or treatment are provided. Verification of a member's enrollment does not require consent.
2. Providers treating members in an emergency are not required to obtain General Consent prior to the provision of emergency services. Providers treating members pursuant to court order

shall obtain consent, as specified in A.R.S. Title 36, Chapter 5.

C. INFORMED CONSENT

1. A higher level of consent may be required for provision of specific behavioral or physical health services or for services provided to vulnerable members. These requirements can be found in Division and AdSS Medical Policies 320-Q.
2. Providers of behavioral health services shall gain Informed Consent in a variety of specific circumstances for members with a Seriously Mentally Ill (SMI) designation. These requirements can be found in A.A.C. R9-21-206.01.