

Informed Decision Making, Informed Consent and Informed Refusal

You are responsible for making informed decisions, and you have the legal right to give "informed consent" or "informed refusal." Learn more below.

Why is my involvement in maternity care decisions important?

As a pregnant woman, you have the opportunity and responsibility to make many important decisions about your care during pregnancy, birth, and the time after birth. The decisions you make and the maternity care you receive can have lasting effects on the health and well-being of your baby, yourself, and your family.

It is always important to understand whether there is a good rationale for any procedure, drug, test or treatment that is being given or offered to you. In many care settings, certain practices are used freely and even routinely, whether or not the mother or baby have shown a clear need. Although these practices may be of value to women or babies in certain situations, they may be unnecessary for most. They may be disruptive, be uncomfortable, cause more serious side effects, and lead to the use of other interventions. For these reasons, interventions should not be used routinely or unnecessarily.

What does "making informed decisions" about maternity care mean?

Making informed decisions means learning and thinking about the best information available on maternity care, and then deciding what's right for you. This website is here to guide you to the information you'll need, and to help you think through your own needs and preferences. Key questions for you to consider are:

What are the possible choices?

What does the best available research tell us about the safety and effectiveness of each of these choices?

What are my needs and preferences and those of other family members?

What choices are available and supported in my care setting and through my caregivers?

If I want an option that will not or may not be available to me, would I consider switching to a care setting or caregiver that does offer my preferred care?

Whenever possible, it is important to weigh this information well before you need to decide. This will help ensure that you can get answers to all of your questions and have access to the kind of care that is right for you.

How can I find the best evidence about safe and effective maternity care?

There are many opinions and studies about most health topics. We hear reports on the evening news, read about health care in newspapers and online, and get advice from our friends and relatives. What or whom should we believe? How can we make sense of it all, especially when faced with important decisions that can have lasting effects on ourselves and our children? Dedicated health professionals also struggle to keep up with the vast amount of information relating to their practice and to know how to provide the best care.

Fortunately, the evidence-based health care movement can help consumers and professionals alike sort out these complex matters. The *Maternity Wise*® website can help you understand what evidence-based health care is. And this site makes much of the best information about safe and effective maternity care available to you, provides tips and tools to help with your decisions, and points you to carefully selected resources for learning more.

Your Guide to Safe and Effective Care During Labor and Birth is a Maternity Center Association publication that provides information about appropriate care for the majority of women who are well and healthy.

What can I do to help ensure that the care that I receive during labor and birth will be best for me and my baby?

Your choice of caregiver and choice of birth setting can have a major impact on the care that you receive during labor and birth. You may need to explore many possibilities to find a caregiver and birth setting that offer care consistent with the best evidence and with your needs and preferences. This site can help you make thoughtful, informed decisions about these matters.

It is not possible to know ahead of time exactly what your labor experience will be like. Being as informed as possible in advance will help you deal wisely with any new decisions that may arise at the time. It is important to learn about your options, get answers to your questions and think about your preferences well before labor begins. Be sure your partner, if you have one, is also aware of your wishes and is prepared to speak on your behalf if the need arises. You have the right to be given good information and to have your decisions honored.

What does it mean to give "informed consent"?

Informed consent is a process to help you decide what will and will not be done to you and your body. In the case of maternity care, informed consent also gives you the authority to decide about care that affects your baby. The purpose of informed consent is to respect your right to self-determination. It empowers you with the authority to decide what options are in the best interest of you and your baby. Your rights to autonomy, to the truth (as best as it can be known at the time), and to keep yourself and your children safe and free of harm are very basic human rights.

What are my legal rights to "Informed Consent" and "Informed Refusal"?

Whenever a medical procedure, drug, test, or other treatment is offered to you, you have the legal right to "informed consent." This means that your doctor, midwife or nurse is responsible for explaining:

- ▶ why this type of care is being offered
- ▶ what it would involve
- ▶ the risks and benefits that are associated with this type of care

alternatives to this care, and their respective risks and benefits, including doing nothing (that is, simply waiting longer).

You have a right to clear and full explanations about your care. You are entitled to get answers to any and all questions that you may have about your care. You are also within your rights to request and receive a copy of your medical records and to get a second opinion.

Then, by law, you have the right to decide whether to accept the care that is offered. If you disagree with your caregiver and decide not to accept care that is offered to you, this is called "informed refusal." And, even if you have made your decision and signed a form agreeing to a particular type of care, you have the right to change your mind. Although these are established legal rights, they have been challenged in a few recent cases that you may have heard about.

It can be challenging to carry out the informed consent process in the context of busy health care routines. Yet, you and your caregiver can set aside the time to discuss these issues in advance whenever possible, *and* again when it is time to make a decision. You don't want to be learning about procedures and options for the first time when you're in labor and facing important decisions.

What are some tips for exploring these issues with my doctor or midwife?

Make a list of your questions before each visit, and take notes on the answers. You may wish to bring your partner or someone else close to you along to listen to what is said. Don't be shy; nothing is off limits.

While talking with your caregiver, don't hesitate to say:

I don't understand.

Please explain this to me.

What could happen to me or my baby if I do that? Or if I don't?

What are my other options?

Please show me the research to support what you're recommending.

Where can I get more information?

I have some information I'd like to share with you.

I'm uncomfortable with what you are recommending.

I'm not ready to make a decision yet.

I'm thinking about getting a second opinion.

And remember, any question that you have is a question worth asking. It's important to let your caregiver know when you don't understand. Ask again, until you do.

What happens if my caregiver and I disagree?

Your caregiver has rights, too. He or she has the right to agree or disagree to provide care that

you may request. For example, if you request a cesarean and have no medical need for this procedure, your caregiver has the right to refuse to do the surgery.

These issues speak to how important it is to have a good collaborative relationship with your caregiver that includes open communication, mutual respect, and shared points of view. Making a careful choice of a doctor or midwife who respects your needs, values and goals can help avoid conflict down the road.

<http://maternitywise.org/mw/mid.html>