

Assessment of Knowledge and Awareness about Consent among Medical Practitioners in a Tertiary Care Hospital – A Questionnaire based Study

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Abstract

Introduction: The medicine being a moral profession, the relationship of doctor and patient entails the highest conceivable degree of trust and fidelity. Good bedside manner, technical competency and communication skills are the physician's behaviors most strongly associated with patient trust. The changing medical practice of the 20th century has given place to patient's autonomy and informed consent. Consent is not mere submission of the patient to a particular treatment, but a process of communication requiring the fulfilment of certain established elements like competence, sufficient disclosure, understanding and volunteering. However, less attention has been paid to the implications of obtaining informed consent, from the physicians' perspective. Considering the above fact, the study was undertaken to assess the knowledge and awareness about informed consent among medical practitioners in a tertiary care hospital.

Materials and Methods: A prospective, cross-sectional, questionnaire-based study was undertaken in 100 medical practitioners during May 2020 to July 2020.

Results: It was observed that most of the participants were aware and had sufficient knowledge about informed consent, but the law related to consent and other inner details of informed consent in medical practice were lacking.

Conclusion: We concluded that medical institutions, various medical associations and medico-legal bodies must conduct regular medico legal training programmes, continuum medical education programmes, seminars and workshops and must be made mandatory to participate actively for all medical practitioners to update their knowledge related to consent in medical practice and law related to medical practice.

Keywords: Knowledge, Assessment, Informed Consent, Medical practitioner;

Introduction

The medicine being a moral profession, the relationship of doctor and patient entails the highest conceivable degree of trust and fidelity. Good bedside

manner, technical competency and communication skills are the physician's behaviors most strongly associated with patient trust. The changing medical practice of the 20th century has given place to patient's autonomy and informed consent.¹ As per Section 13 of Indian Contract Act, two or more persons are said to consent when they agree upon same thing in same senses. The word consent means to agree to something or to allow something to happen. Consent in medical practice means the agreement to undergo any medical treatment or to participate in any medical research.²

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Thus, it is clearly observed that informed consent is a vital component of medical practice.³ Informed consent is believed to be an effective approach to building mutual trust between clinical practitioners and patients. The patient's moral right to self-determination and the corresponding duty of health care professional to "do no harm" create a strong moral basis for gaining a patient's informed consent.⁴

The ethics of clinical practice and scientific research supporting a patient-centered approach informed consent empowers patients to establish dialogue with doctors in clinical decision making and make autonomous decisions.⁵ Under this paradigm, doctor's obligations are to provide proper and sufficient medical information about a patient's condition and available treatment options.⁶

The implications of obtaining informed consent have been widely reviewed from the ethical, legal, and moral viewpoints, and from both individual and societal perspectives. In particular, the impact of this process on patients has been examined with regard to patients' rights, and the patients' ability to retain the full meaning of the document. Nowadays, more and more patients are demanding detailed information about their disease, various diagnostic methods available and options available for treatment. Consent is not mere submission of the patient to a particular treatment, but a process of communication requiring the fulfilment of certain established elements like competence, sufficient disclosure, understanding and volunteering.⁷ However, less attention has been paid to the implications of obtaining informed consent, from the physicians' perspective. Considering the above fact, the study was undertaken to assess the knowledge and awareness about informed consent among medical practitioners in a tertiary care hospital.

Need for the Study

The process of obtaining a written informed consent is one mechanism for protecting a patient's dignity in the health-care environment and also future allegations against medical practitioners. Now, it is the era of litigations against medical practitioners, proper informed consent and documentation, proper communication with patient and/or patient relatives may help in decreasing these patients – doctor conflicts. Considering the above

facts, the study was undertaken to be undertaken to assess the knowledge and awareness about informed consent among medical practitioners in a tertiary care hospital.

Aims and Objectives

- To assess the knowledge and awareness about informed consent among medical practitioners in a tertiary care hospital.
- To know the facts, level of satisfaction, knowledge about informed consent among medical practitioners.

Materials and Methods

A Prospective, cross sectional questionnaire-based study was carried out among medical practitioners at Saveetha Medical College hospital, Chennai during May 2020 to July 2020. The doctors of the various departments were approached and total 100 medical practitioners are included in the study. Those who were on leave, refused to participate, those who were not accessed our google doc questionnaire and non-clinicians were excluded from the study. Willingness for participating in the survey is recorded before initiating the questionnaire in the google doc document. They were informed that this questionnaire is the part of study and they are free to accept or deny completing it. A self-administered, structured questionnaire written in English which covered various aspects of consent, commonly encountered in the medical practice was given for all participants to check their knowledge about consent in medical practice. The questionnaire was pretested on a group of 10 medical practitioners, who were excluded from the study and questionnaire was modified accordingly. The questionnaire was asked through online google doc format. Total 116 questionnaires were distributed among medical practitioners of various specialties out of which 100 responses were taken for the study. Received responses were tabulated and statistically analyzed using SPSS software version-16.0. The student's t-test, ANOVA test were used as tests of significance for statistical evaluation.

Results & Observations

The current study consists a total of 100 doctor's responses from various clinical specialties. It was found

that only 21% of the doctors knew the various types of consents in medical practice and whose consent is valuable, 63% were not aware and 16% responded that it depends on circumstances. It was observed that 91% doctors were satisfied with their knowledge about consent in medical practice, 6% were not satisfied and 3% responded that it depends on circumstances. When asked the question, are you taking Written Informed consent before any examination or procedure? Most of the doctors (72%) responded that they take informed consent before any examination or procedure, 16 responded no and 12% take depending on circumstances. Among study participants, 88% doctors believe informed consent and documentation can prevent a charge of negligence, 1 felt no and 11% of physicians responded that it depends on circumstances. 79% of doctors believe doctors are the best person to obtain consent, 8% responded no and 13% responded that it depends on circumstances. Most (88%) of doctors believe written consent is the best type of consent in medical practice, 5 responded no and 7% responded that it depends on circumstances. Majority (89%) of doctors believe that treatment can be started to a patient without consent in emergency lifesaving

situation, 3% responded no and 7% responded that it depends on circumstances. It observed that only 6% of doctors knew the sections of the Indian Penal Code applicable to consent, its medico-legal importance and laws in relation to consent, 88% responded no and 6% responded that they knew sometimes. Most of the participants (87%) believe only a person above 18 years of age with sound mind can give valid consent for general physical examination and procedures, 2% responded no and 11% responded that it depends on circumstances. 54% of doctors believe a child above 12 years of age with sound mind can give valid consent for simple, general and physical examination, 2 responded no and 11% responded that it depends on the circumstances. Among study participants, 82% doctors responded that informed refusal should be agreed in a case of established doctor – patient relationship, 5 responded no and 13% responded that it depends on the circumstances. Among study participants, Majority of the doctors (93%) felt that CME in medical ethics, consent in medical practice, medical negligence and laws related to medical practice should be conducted in regular interval, 3% of them responded ‘no’ and 4% responded that it should be conducted sometimes.

Questionnaire Table

Sl. No	Question	Yes	No	Sometimes/ Depending on Circumstances
1.	Do you know the various types of consent in medical practice & whose consent is valid?	21%	63%	16%
2.	Are you satisfied with your knowledge about consent in medical practice?	91%	06%	03%
3.	Are you taking Written Informed consent before any examination or procedure?	72%	16%	12%
4.	Do you think Informed consent and documentation can prevent a charge of negligence	88%	01%	11%
5.	Do you think doctor is the best person to obtain consent?	79%	08%	13%
6.	Do you think written consent is the best type of consent in medical practice?	88%	05%	07%
7.	Do you think treatment can be started to a patient without consent in emergency lifesaving situation?	89%	03%	07%
8.	Do you know the sections of Indian Penal Code applicable to consent, its Medico-legal importance and laws in relation to consent?	06%	88%	06%

Questionnaire Table

9.	Is only a person above 18 years of age with sound mind can give valid consent for general physical examination and procedures?	87%	02%	11%
10.	Do you think a child above 12 years of age with sound mind can give valid consent for simple, general & physical examination?	54%	32%	24%
11	Informed refusal should be agreed in a case of an established Doctor-Patient relationship.	82%	05%	13%
12	Do you feel CME in Medical Ethics, Consent in medical practice, Medical Negligence and laws related to medical practice shall be conducted in regular interval	93%	03%	04%

Discussion

It is of paramount importance that all physicians must know the actual meaning of valid consent. The valid consent is one which is informed, given voluntarily without any fear or misconception in mind by a person who is eligible for it. The Supreme Court of India in a recent Judgment, Samira Kohli vs. Dr. Prabha Manchanda & ANR, Appeal (civil) 1949 of 2004 (SC) has elaborated various aspects of consent taking. It has further laid down certain guidelines for taking a real or valid consent. As such it is an attempt to stream line consent process in India.⁸

In the present study, majority of the doctors (91%) were satisfied with their knowledge about consent in medical practice and 90 % respondents were aware of informed consent, their main source of knowledge on healthcare ethics was during training, and such experiences should be used to reinforce ethical knowledge and practice. This is in accordance with the study done by Dash S.K. in 2010⁹ and in a study by Rai JJ et al.¹⁰.

Most of the doctors (72%) responded that they take informed consent before any examination or procedure, 88% doctors believe informed consent and documentation can prevent a charge of negligence. Among study participants, 79% of doctors believe doctors are the best person to obtain consent, the similar observations are recorded in the studies carried out by Dash S.K. Rai JJ et al and Heywood R. in 2007.⁹⁻¹¹

In the present study, it was found that 88% of doctors believe written consent is the best type of

consent in medical practice and 89% of doctors believe that treatment can be started to a patient without consent in emergency lifesaving situation. It can be inferred from section 92 of Indian penal code that act done in good faith for benefit of a person without consent is not an offence if the circumstances are such that it is impossible for that person to signify consent, or if that person is incapable of giving consent, and has no guardian or other person in lawful charge of him from whom it is possible to obtain consent in time for the thing to be done with benefit.¹²

So, it is obvious that if relatives or legal heir are denying for consent in the situation where major patient is in unconscious state, it is not advisable to perform surgery against their refusal. As mentioned by Christian P Selinger¹³ that there are several legal exceptions to the right of consent concerning minor, patient with mental illness, patient suffering from communicable disease and incapacitated patient.¹⁴

In the current study, it was observed that only 6% of doctors knew the sections of the Indian Penal Code sections applicable to consent, its medico-legal importance and laws in relation to consent, 88% responded don't know, 87% of doctors believe only a person above 18 years of age with sound mind can give valid consent for general physical examination and procedures, 2 and 11% responded that it depends on circumstances. Among participants, 54% of doctors believe a child above 12 years of age with sound mind can give valid consent for simple, general and physical examination and 11% responded that it depends on the circumstances. Similar findings were noted by Gupta S et al., Taylor MK and others.^{15,16} It can be clearly

inferred from section 87-89 of Indian penal code that a child above 12 years of age can give consent for simple, general or physical examination which is not associated with any harm to his/her life. In cases where a procedure is associated with harm or may lead to grievous hurt or death, consent of a person above 18 years is mandatory if he or she is in position to give.^{14,17} Among study participants, most of the doctors (82%) responded that informed refusal should be agreed in a case of established doctor – patient relationship and 13% responded that it depends on the circumstances. Our observations are in consistent with other studies.^{1,9,15,16}

In our study, among study participants, majority of the doctors (93%) felt that CME in medical ethics, consent in medical practice, medical negligence and laws related to medical practice should be conducted in regular interval. This observation is in accordance with other studies.^{18,19}

The better knowledge about informed consent in medical practice among the medical practitioners comes from the clinical exposure in hospital setting. This study has given further insight into the domains of perceptions & apprehensions of the doctor about informed consent and to deliver better patient care and protect them.

Conclusion

The guiding principal is that informed consent should be an important means of facilitating communication between doctor and patient. As the profession of physical therapy continues to explore its full potential, the proper place of a formalized informed consent procedure for all patient care will be more obvious. This not only builds a healthy doctor – patient relationship, but also helps doctors save themselves from this era of litigation. Many doctors unfortunately get involved in medical negligence case in their career due to lack of documentation, lack of informed consent and negligent supervision. Lack of time to update their knowledge on law related medical practice is probably the reason for this. The medical ethics and such acts related to medical practice should be emphasized in the undergraduate and post graduate syllabus and examinations. Regular medico legal training programmes, continuum medical education programmes, seminars and workshops must be conducted in every institution and must be made mandatory to participate actively for all medical

practitioners to update their knowledge related to consent in medical practice and law related to medical practice.

Limitations

The limitation of our study is that it was conducted in our institute only, even though the hospital consists of a diverse group of healthcare providers coming from different and almost all parts of the district, it cannot predict the overall situation in the country.

Ethical Clearance: Ethical Clearance was obtained from Institutional Ethics Committee, Saveetha Medical College, Chennai prior to the study. Consent was taken from each respondent. Confidentiality was maintained.

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References

1. Shailesh DW, Kasulkar AA, Kanade HT, Assessment of knowledge of consent among medical practitioner world journal of pharmaceutical and medical research wjpmr, 2017,3(8), 132-134
2. Section 13 of the Indian Contract Act, 1872.
3. Daljitsingh. Informed vs. Valid Consent: Legislation and Responsibilities. Indian Journal of Neurotrauma (IJNT), Vol.5, No.2, 2008, Vol.5, No.2; 105-108.
4. Nie JB. Is informed consent not applicable in China? Intellectual flaws of the “cultural difference argument”. *Medicine and Philosophy* 2002;2(1-2):67.
5. Purtilo RB, Cassel CK. *Ethical Dimensions in the Health Professions*. Philadelphia, PA, WB saunders Co, 1981; 67-68.
6. Fields LM, Calvert JD. Informed consent procedures with cognitively impaired patients: A review of ethics and best practices. *Psychiatry Clinical Neuroscience* 2015; 69:462-71.
7. Kim SYH. *Competence for Informed Consent for Treatment and Research*, 2013.
8. The Supreme Court of India in a recent Judgment Samira Kohli vs. Dr. Prabha Manchanda & ANR, Appeal (civil) 1949 of 2004 (SC), 2008.
9. Dash S.K. *Medical Ethics, Duties & Medical Negligence Awareness among the Practitioners in a Teaching Medical College, Hospital-A Survey*, J

- Indian Acad Forensic Med 2010; 32(2);153-156.
10. Rai JJ, Acharya RV, Dave D. knowledge and awareness among interns and residents about medical law and negligence in medical college in Vadodara: A questionnaire study. JDMS, Jan-Feb 2013; 3(4); 32-38.
 11. Heywood R., Macaskill A. and Williams K., Medical students' perceptions of informed consent: legal reflections on clinical education, Journal of professional negligence, 23 (3), 2007; 151-164.
 12. Section 87 of the Indian Penal Code, 1860
 13. Christian P Selinger. The right to consent: is it absolute. BMJP. 2009; 2(2);50-54
 14. Section 89 of the Indian Penal Code, 1860
 15. Gupta Sanjay, Panchal Ravi. Physician's perspectives about consent in medical practice: A questionnaire-based study. J Indian Acad Forensic Med, Jan-March 2012; 34(1); 31-33.
 16. Taylor MK, Kelner M, Informed consent: The Physicians' perspective Social science Medicine. Vol. 24. No. 2, ; 135-143. Department of Behavioural Science, University of Toronto. Toronto, Ontario. Canada Printed in Great Britain.
 17. Section 92 of the Indian Penal Code, 1860
 18. Haripriya A., Haripriya V., Knowledge about Medical Law and Its Negligence among Doctors: A Cross-Sectional Study. International Journal of Scientific and Research Publications, Volume 4, Issue 5, May 2014; 1-6
 19. Jasuma J. Rai Rajesh V. Acharya, Deepak Dave: Knowledge and Awareness among interns and residents about medical law and negligence in a medical college in Vadodara – A Questionnaire Study. Journal of Dental and Medical Sciences (JDMS) Volume 3, Issue 4 (Jan.- Feb. 2013); 32-38.