

Facilitating Informed Consent for Service Discussions with Individuals with a Communication Impairment

Introduction

For individuals with a communication impairment, giving consent may pose a significant challenge. Registrants must ensure that all reasonable steps are taken to allow a client to fully understand the service options and express their wishes in the process of obtaining consent for audiology and speech-language pathology services. The existence of a disability, including a speech, language, or hearing impairment, is not sufficient to presume a client is incapable of giving consent.

A client is presumed to be capable of giving consent unless the registrant has reasonable grounds to assume otherwise. *The Health Care Directives Act* (HCDA) requires that a client must have the ability to understand the information provided and appreciate the consequences of the decision in order to be considered capable of giving consent.

It is important to recognize that when a client makes a decision that is unanticipated or disagrees with the registrant's recommendations, the registrant cannot assume there is a lack of competence. The registrant must respect the client's wishes and may engage in further discussion to increase understanding of the client's rationale.

Suggestions for Facilitating an Informed Consent Discussion

Provide clients with every opportunity to use their most effective mode of communication. Registrants should make every effort to obtain appropriate training and skills in communication techniques and use appropriate materials.

The following are examples of techniques to facilitate comprehension:

- Use language that is appropriate to the age and abilities of the client.
- Use language that is appropriate to the linguistic and cultural background of the client.
- Ensure the client can hear sufficiently to participate in the discussion. Provide accommodations as necessary such as assistive listening devices, supplementary written information, adequate lighting, and a quiet environment.
- Provide alternative methods of communication for patients/clients whose competence to provide consent may be masked by a communication disorder.
- Provide visual aids throughout the discussion to support conversation, accommodating for any visual difficulties.
- Allow the client to paraphrase the discussion to confirm comprehension.
- Provide the client with sufficient time to process the information and ask any questions. In some instances, it may be helpful to allow the client to contact you following the session to review any issues or ask about issues that did not come up during the face-to-face session.
- Verify that the client has demonstrated comprehension after each component has been presented, to minimize the effect of memory difficulties.

- Encourage the client to allow others to participate in these discussions for support but ensure that the discussion is targeted to the client. It is the client who must ultimately make the informed decisions regarding the services offered.

Draw on some of the following techniques to facilitate expression as appropriate:

- Structure the dialogue to allow the client every opportunity to ask questions and add perspectives to the discussion. Techniques to facilitate this may include (a) numerous direct (“What do you think?”) and indirect (“I wonder what you are thinking?”) invitations to participate in the discussion; and (b) pausing frequently for sufficient durations to allow an unsure or reluctant client the opportunity to participate and ask questions.
- Use techniques to support communication, such as interactive drawing, pointing to relevant pictorial or symbolic representations, pointing to key words provided, gesturing, age-appropriate play activity or enactment, use of yes/no responses.
- Allow the client to express their understanding of the assessment and treatment alternatives at each stage of the discussion (e.g., present each option visually and allow the patient/client to indicate what was understood using his or her preferred communication modality).

SUMMARY

Audiologists and speech-language pathologists, by virtue of their unique and specialized training in communication disorders, have a responsibility to ensure that clients are able to give informed consent to the services provided by members, independent of their communication difficulties. Clients must be given every opportunity to engage in a partnership with the member when intervention decisions are made.

In consideration of supporting and treating patients and clients, clinical judgment is paramount in decision-making, and this supporting document should be read alongside the CASLPM *Standard on Privacy, Confidentiality, Documentation & Information Management*.