

DEVELOPMENTAL DISABILITIES ADMINISTRATION
Olympia, Washington

TITLE:	YOUTH TRANSITIONAL CARE FACILITY INFORMED CONSENT	18.06
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Authority:	38 CFR 17 §17.32 42 CFR §440.160 42 CFR § 483.356 42 CFR § 483.358 42 CFR § 483.360 Chapter 71.34 RCW RCW 7.70.065 Public Law No: 106-402	Protection of Patient Rights Inpatient Psychiatric Services for Individuals Under Age 21 Protection of Residents Orders for Use of Restraint or Seclusion Consultation with Treatment Team Physician Behavioral Health Services for Minors Informed Consent unaccompanied homeless minors Developmental Disabilities Assistance and Bill of Rights Act
Reference:	DSHS AP 5.03 DDA Policy 5.06 DDA Policy 5.13	HIPAA Privacy Rights Client Rights Protection from Abuse Informed Consent policy

PURPOSE

This policy establishes procedures for informing a youth of the nature, risks and alternatives of care, treatment, and services when seeking the youth’s consent.

SCOPE

This policy applies to all employees, contractors, professional trainees, and volunteers working in a Youth Transitional Care Facility.

DEFINITIONS

Authorization for treatment means a legally sufficient medical record form that documents a youth's consent for admission, routine medical and dental care and any necessary emergency procedures, routine screenings and immunizations if needed. This consent also affirms the youth's right to individualized care and adequate treatment and the right of the youth and authorized person to be fully informed and to provide consent for the treatment (including medications) that the youth will receive.

Authorized person means a person authorized under [RCW 71.34.500](#) to consent for a youth under age 13, except when treatment with antipsychotic medication is proposed (see Informed Consent policy). Persons authorized to provide informed consent include the youth's appointed legal guardian or parents per [RCW 7.70.065](#).

Clinical treatment team means members of a multi-disciplinary team, which in this policy is inclusive of the cottage program director (psychologist), clinical director, attending psychiatrist, primary medical provider, social worker, and registered nurse at its core, other disciplines as necessary (speech pathologist, occupational therapist, recreational therapist, dietitian, case resource manager, etc.), and the youth, youth's parent, designated agent, or persons the youth identifies as a participant.

Youth Transitional Care Facility or **YTCF** means the staff-secure and voluntary facility offering specialized treatment for suitable youth.

POLICY

- A. In order to obtain informed consent for treatment, the facility must provide the youth and authorized persons the following information in a language they can reasonably be expected to understand:
1. Nature and character of the proposed treatment, services, medications, interventions, or procedures;
 2. Potential benefits, risks, side effects or complications, including potential problems that might occur during recuperation;
 3. The likelihood of achieving goals or anticipated results;
 4. The reasonable and recognized alternative forms of treatment;
 5. The relevant or recognized serious possible risks, benefits, and side effects related

to alternatives, including the possible results of not receiving care, treatment, and services; and

6. The limits to the confidentiality and when staff must report any disclosures youth make that mention abuse, neglect, or exploitation.
- B. The process of obtaining informed consent must be documented within the medical record and on an approved medical record form (e.g., *Authorization for Treatment, Medication Informed Consent, Release of Information, HIPAA Privacy Rights* [[DSHS AP 5.03](#)], etc.). The completed form must be signed by the youth or authorized person specifying the above elements in Policy Section (A).
- C. The facility must obtain informed consent from a youth or the authorized person before:
1. The youth is admitted to a Youth Transitional Care Facility;
 2. The youth undergoes surgical procedures when either local or general anesthesia is used;
 3. The facility releases information about the youth to an individual or agency outside the facility except as required or permitted by law; and
 4. The youth is prescribed a medication (e.g., antipsychotic, psychotropic, immunization) and all subsequent changes in these medications, excluding dose and frequency changes, except as permitted by law, [RCW 71.05.215](#) and [RCW 71.05.217](#).
- D. Antipsychotic medications must be consented to by the youth or authorized by the court following [RCW 71.05.217](#). Only a court shall substitute the youth's judgment to allow these types of treatments.
- E. The facility must complete informed consent forms in the electronic medical record, or otherwise scan originals into the electronic medical record. Informed consents must be accessible through the electronic medical record on the cottage.
- F. A youth's authorized person can revoke their informed consent at any time, either orally or in writing.

PROCEDURES


- A. The Youth Transitional Care Facility staff completing the youth's admission must obtain signatures from the youth or authorized agent on the *Authorization for Treatment and Release of Information* forms.
- B. The Youth Transitional Care Facility psychiatrist or registered nurse must inform the youth or authorized person about medical treatments and procedures and obtain signatures on the appropriate informed consent form.
- C. When consent is for purposes other than medical treatment (e.g., release of information, etc.), the informed consent may be obtained by other clinical and support staff (e.g., social workers, psychologists, shift lead, etc.).
- D. A youth who refuses to consent to a proposed treatment or service will remain untreated unless an authorized person consents on the youth's behalf or involuntary treatment procedures are initiated. The treating physician or nurse must note in the youth's electronic medical record:
1. The proposed treatment or procedure;
 2. The options made available to the youth;
 3. The youth's choice; and
 4. Any explanation the youth might offer for their choice.
- E. The Youth Transitional Care Facility treating physician or nurse must provide informational material to the youth and authorized person as part of the process of obtaining informed consent for treatment.

EXCEPTION

Any exception to this policy must have the prior written approval of the Deputy Assistant Secretary or designee.

SUPERSESSION

None.

Approved: 
Deputy Assistant Secretary
Developmental Disabilities Administration

Date: July 1, 2024