

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES  
Health Care Department Operations Manual

**3.3.6.2 Informed Consent (E)**

**(a) Policy**

The California Department of Corrections and Rehabilitation (CDCR), its agents, and the Division of Health Care Services shall adhere to the requirements set forth in the California Code of Regulations, Title 15, Division 3, Chapter 2, Subchapter 2, Article 1, Section 3999.202 “Informed Consent Requirement.”

**(b) Purpose**

To set forth procedures to ensure and document that a patient’s right to informed consent is observed.

**(c) Procedure**

- (1) Patients shall provide informed consent by signing the appropriate CDCR Consent Form(s) as outlined in the Health Care Department Operations Manual (HCDOM), Section 3.3.6.1, Health Records Organization and Maintenance, prior to receiving any procedure. (Reference the HCDOM, Section 3.3.5.6(c)(1) regarding refusal of informed consent.)
- (2) Validity and duration of dental consent forms.
  - (A) Procedure specific consent forms (i.e., CDCR 7424, 7425, 7426 and 7428) shall be valid for provision of the procedure(s) at any time and by any CDCR or contracted provider and shall remain valid until the procedure is completed.
  - (B) The CDCR 7422 and CDCR 7429 shall be valid for provision of the treatment at any time and by any CDCR or contracted provider and shall remain valid for the duration of the sentence currently being served by the patient.
- (3) In emergent situations, patients shall be treated under the law of implied consent.

**References**

- California Code of Regulations, Title 15, Division 3, Chapter 2, Subchapter 2, Article 1, Section 3999.202
- Health Care Department Operations Manual, Chapter 3, Article 3, Section 3.3.5.6, Patient’s Right to Refuse Treatment
- Health Care Department Operations Manual, Chapter 3, Article 3, Section 3.3.6.1, Health Records Organization and Maintenance

**Revision History**

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