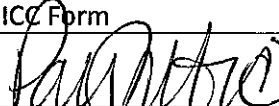


Catholic Charities Disabilities Services	
Agency Standard and Procedure	
Standard Category	Quality Assurance
Standard Title	Informed Consent Committee
Regulations	14 NYCRR 633.16 OPWDD ADM 201042
Original Issue Date	02/23/2016
Latest Revision Date	05/11/2023
Number of Pages	2
Attachments	ICC Form
Approved by: Paula Jubic, Executive Director	

Standard:

Catholic Charities Disabilities Services recognizes that in order to appropriately support an individual who lacks the capacity to provide informed consent and has no legally authorized surrogate to act on his or her behalf, an Informed Consent Committee shall be established to provide informed consent with regard to a Behavior Support Plan (BSP) which includes restrictive or intrusive interventions; the administration of medications to treat a co-occurring psychiatric condition; the administration of medication on a short term basis in the absence of a BSP; or the application of Medical Immobilization/Protective Stabilization (MIPS) and sedation for medical and dental procedures. Additionally, Informed Consent may also be provided for other needs as directed by OPWDD, such as, but not limited to the administration of the COVID-19 vaccine. In such rare instances, CCDS will follow the pertinent guidance from OPWDD.

Procedure:

1. Written informed consent will be secured prior to the implementation of a Behavior Support Plan (BSP) which includes restrictive or intrusive interventions; the administration of medications to treat a co-occurring psychiatric condition; the administration of medication on a short term basis in the absence of a BSP; or the application of Medical Immobilization/Protective Stabilization (MIPS) and sedation for medical and dental procedures. Under certain limited circumstances, informed consent may be verbal for a limited period of time, pending the written informed consent, consistent with applicable regulations.
2. In the event that an individual lacks the capacity to provide informed consent and has no legally authorized surrogate to act on his or her behalf, informed consent may be provided by an Informed Consent Committee.
3. Informed Consent is valid for a period of no more than one year.
4. The Informed Consent Committee will be convened and chaired by the Director of Quality Assurance or designee on an as-needed basis for the purpose of reviewing a request(s) for informed consent. The Director of Quality Assurance or designee is responsible to ensure that the following steps are met.

Standard: *Informed Consent Committee, 2016.02.23.*

5. The Informed Consent Committee membership will consist of **at least three members**; including **at least one member**:
 - having no ownership, employment relationship or other interest in the agency that would result in a real or perceived conflict of interest;
 - who does not serve on the Human Rights Committee which reviewed the behavior support plan;
 - professional holding a license or certification appropriate to their discipline, and who has specialized training or at least one year of professional experience in treating or working with people with developmental disabilities **and**;
 - an individual with developmental disabilities, a guardian or family member of an individual with developmental disabilities, an advocate, or a party with experience in the field of developmental disabilities.

The Committee will not include anyone who is directly involved in the delivery of services to the individual for whom informed consent is being sought.

6. The author of the plan or other document for which informed consent is sought will present the application to the Informed Consent Committee, including, but not limited to, the QIDP, BIS, or their designee.
7. The Mental Hygiene Legal Service (MHLS) represents the interests of persons who are residents of a facility operated or certified by OPWDD, and will be notified of any Informed Consent Committee meetings involving such individuals who lack capacity.
8. The Informed Consent Committee shall reach its decision within 15 business days of receiving an application for informed consent.
9. The Informed Consent Committee's decision shall be by majority vote and shall be provided without delay to the person, the person's program planning team and other relevant parties.



Informed Consent Committee

Name of Individual	DOB	Residence
	/ /	

Date of BSP or Monitoring Plan
/ /

Reason for Informed Consent
MHLS Informed, attach notification Yes / No

Date of ICC Meeting
/ /

Consent Provided
Yes / No
No, rationale:

Committee Chairperson		
Print name / Title	Signature	Date
Peggy Maliski / Director of Quality Assurance		

Signature of 3 members minimum -*Cannot be a member also involved in the direct delivery of services.*
 -*At least one person cannot also serve on HRC for the BSP for this individual.*

*Individual or Advocate or Family Member or Person with Experience in Field of ID/DD:		
Print name	Signature	Date

Member Holding a License or Certification			
Print name	License/Certification	Signature	Date

Outside Agency Member		
Print name	Signature	Date

General Member		
Print name	Signature	Date