

THE IMPORTANCE OF INFORMED CONSENT IN THE PRACTICE OF MEDICINE: An Indonesian Perspective

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ABSTRACT

Nowadays, law has entered into any part of human life, including the world of medical profession. The practice of medicine is impossible to be far away from the influence of law. One of the influences of the law in medical profession is the requirement of informed consent before the doctor takes any medical treatment. Informed consent which was in the past considered as an ethical obligation, it now has become a legal obligation. Informed consent is a technical term in medical profession used to call consent to treatment given by the patient after receiving adequate information from the doctor.

Keywords: informed consent, autonomy and privacy.

I. INTRODUCTION

The work of doctor sometimes looks like the work of mechanic. Both of them try to do reparation. The main difference is about the object of the work. While the doctor repairs human body, in the other side the mechanic repairs machine. Their works generally consist of three parts, starting from making an examination, continued by determining the problem occurred, and ended by overcoming that problem.

In medical work, the activity to determine what problem being faced by the patient is called diagnose, while the action to overcome that problem is called therapy. Sometimes the problem is so complicated, and therefore it needs some serious medical treatments. Even, such a problem sometimes needs a replacement of certain part of body or organ (technically called organ transplantation).

The replacement of any part of vehicle machine will relatively carry no problem compared to the replacement of human body organ. Vehicle's spare parts can easily found since they are available in the market. However, organs for the

purpose of transplantation are not available at any market. The possibility to run organ transplantation completely relies on the donation from others, and it is still not easy, because not every organ from the donor will match with the body of the patient in question.

As mentioned in the beginning that the main difference between the work of a doctor and a mechanic as mentioned above is laid down on the object. The object of mechanical work is a thing, whereas the object of medical work is human body, a living creature. Human body can feel any medical action taken by the physician during the treatment such as injection and operation. Patients may suffer from pain caused by an injection moreover a surgery. Even though a technique of anesthesia has been applied by the doctor before an operation begun, however the patient will remain suffer from whatever little it is. Such situation is not found in mechanical work.

Besides such physical suffering, the patient usually faces some psychological sufferings like wariness, doubtfulness, and scariness as well. These are completely normal and natural, realizing that the patients go into the situation of uncertainty, when they are in the hands of doctors. There is no guaranty of success in any medical treatments including operation. When the operation runs well there will be no question, but if the operation fails, then only the patient will suffer from it.

Considering this situation, it is fair to allow the patients involving in making decision regarding the medical treatments they will enter into. Doctor will need patient consent to treatment before doing it. Since the patients usually understand nothing about medical work, in order for them to be able to give a reasonable consent, they must previously be given all necessary information relating to the disease and the possible treatments. The consent made by the patient after being informed is technically called informed consent.