Revolutionizing Informed Consent with Certified Patient Decision Aids

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Overview

Informed consent law has failed.

But robust evidence shows patient decision aids (PDAs) significantly enhance patient knowledge and understanding.

PDAs Empower Patients

Over 130 RCTs show PDAs significantly enhance patient knowledge of treatment options, risks, and benefits.

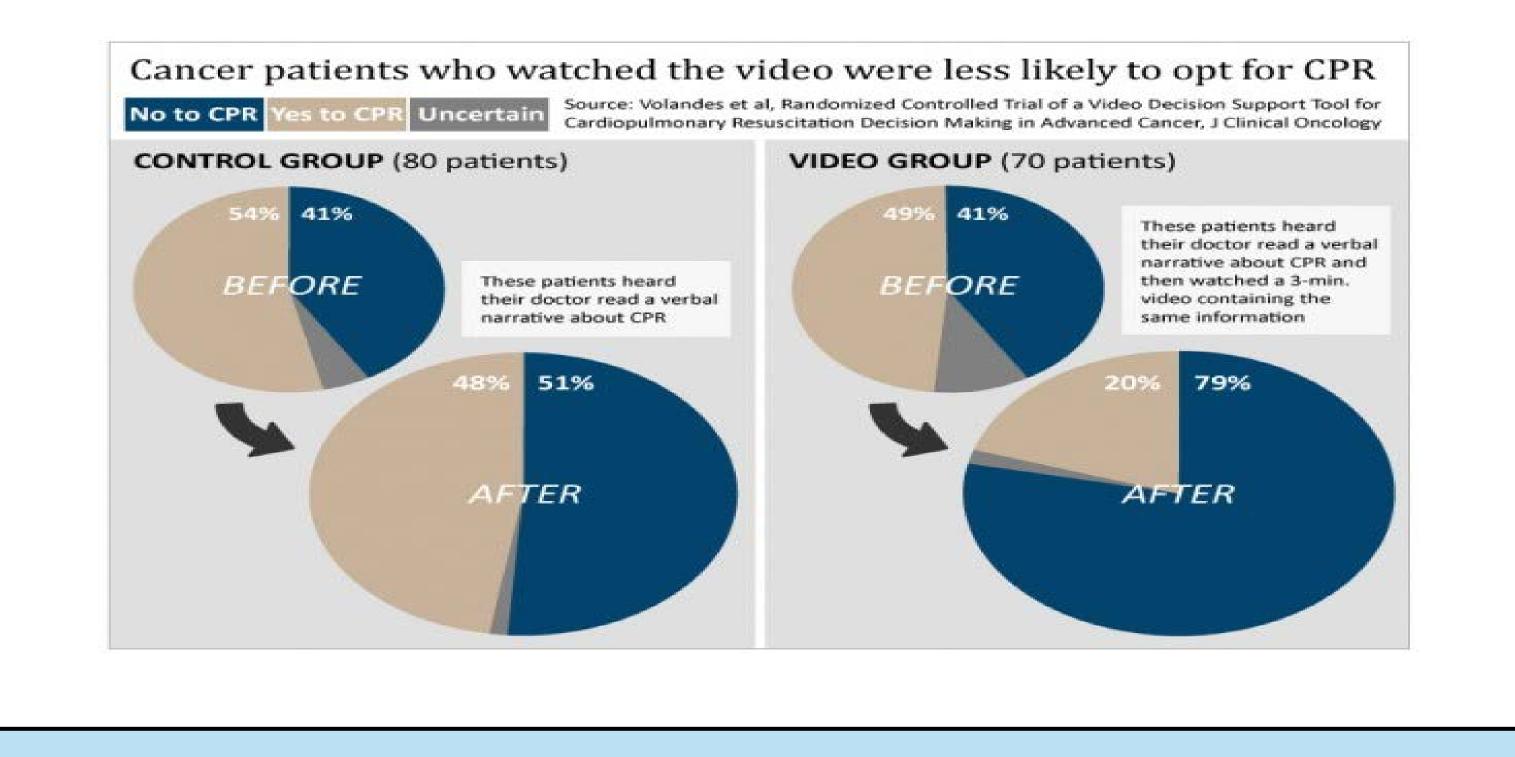
Cochrane and other meta-reviews confirm these benefits.

Certification encourages PDA use by endorsing PDAs that meet consensus based quality standards.

Informed Consent Failed

Only 5 in 100 understand their cancer prognosis.

Only 3 in 100 understand their percutaneous coronary intervention.



Move PDAs from Lab to Clinic

The research is done. But **implementatio**n is sparse and incomplete. "The promise . . . remains elusive."

Patient Decision Aids

PDAs are evidence-based educational **tools** that facilitate shared decision making.

PDAs include: written materials, decision grids, videos, and web-based or other electronic interactive programs.



By assuring the quality of PDAs, certification improves and incentivizes shared decision making.

PDA Certification Is Coming

In April 2016, Washington State launched a PDA certification process (starting with maternity health).

Washington further **incentivizes** clinicians by linking PDA use both to payment and to liability protection.

Washington State's leadership provides a **model** that other jurisdictions can adopt.

USGOV is moving to activate the (still dormant) certification mandate in the 2010 Affordable Care Act.

References

Pope & Moulton, Emerging Legal Issues for U.S. Providers, in SHARED DECISION MAKING IN HEALTHCARE: ACHIEVING EVIDENCE-BASED PATIENT CHOICE (Oxford Univ. Press 2016).

Pope & Hexum, Legal Briefing: Shared Decision Making and Patient Decision Aids, 24(1) JOURNAL OF CLINICAL ETHICS 70-80 (2013).

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