

**INFORMED CONSENT—
HOFFMAN**

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covered by a general form, will serve you well. Remember also that the absence of such forms becomes a problem in and of itself.

In addition to the form itself, most legal advisors will encourage that a note be added to the patient's file stating that the form was signed and that a verbal exchange took place, with you as the provider (not a member of the staff) highlighting the contents of the form. Indeed, some malpractice experts argue that the verbal exchange is the essence of informed consent, where the patient has the opportunity to question the doctor's choice of procedures, and that without the verbal component, the written form loses much of its meaning.

Rather than look at the required informed consent exercise as a burden, practitioners should look at the interaction with the patient on relative risk and informed consent as an opportunity to orient them to what they can expect from the adjustment process, especially if they are first-time patients.

While most patients feel an immediate sense of relief from the adjustment, a frank discussion on possible temporary or short-term discomfort from a first adjustment, possible stiffness, etc., helps patients keep things in a much better and more realistic perspective. It also puts you in a position of both greater credibility with the patient, as well as defensibility should any unforeseen issue arise. Such frank and open dialogue can only strengthen the doctor-patient relationship and enhance the positive nature of their chiropractic experience.

In today's litigation-happy (or many might argue litigation-crazy) society, even the best, most conscientious and responsible doctors of chiropractic, applying the highest standards and most established procedures and protocols, can still be named in a malpractice claim. When it comes to informed consent, a whole new dimension of malpractice reasoning comes into play, where patients and their attorneys regularly argue that if a patient was fully informed of all risks and possible negative outcomes, then they may have decided not to receive the care and would not, as a result, been injured. The proactive doctor of chiropractic will respond accordingly, with sound and well-researched forms and procedures, all consistently applied and included in the patient's file. It pays to do the work and, consequently, minimize the risk.

As every doctor of chiropractic should know by now, a reliable malpractice insurance carrier is your best partner in protecting your practice and yourself from malpractice claims. In that process, *ChiroSecure* stands ready to serve and assist in making sure that you have the coverage you need, and in implement-

ing risk management procedures that will provide the best possible firewall to jeopardy.

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References

1. Hanumans v. Boyson, No. 2003AP1527, 2005 WL 1522624 (Wis. June 29, 2005).
2. Matthies v. Mastromonaco, 160 N.J. 26, 37, 733 A.2d 456, 462 (1999).
3. Schreiber v. Physicians Insurance Company of Wisconsin, 223 Wis.2d 417, 588 N.W.2d 26 (1999).

STUART HOFFMAN, D.C., F.I.C.A (Hon) is president of *ChiroSecure*, the malpractice program endorsed by the ICA. For a no obligation quote call Dr. Hoffman at 1-866-802-4476.

CHIROPRACTIC IN GHANA

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guage requires some effort, but English is widely spoken. I personally have tried to learn enough of the local language to connect with patients and communicate the essential clinical instructions." Dr. Cox also reports he is able to send out patients for x-rays and other testing procedures when indicated. He had all his adjusting tables made in Ghana.

"Dr. Cox has earned our respect and support and we are all very impressed with his determination as well as his achievements," said ICA President Dr. John Maltby. "He is living the global vision for chiropractic ICA has always embraced, and thanks to him and his colleagues, chiropractic is off to a great start in Ghana."

"I have seen the impact of chiropractic on people with desperate health needs, and this is what is keeping me in Ghana," says Dr. Cox. He has not only found professional fulfillment in Ghana,

but personal fulfillment as well. He met and married his wife Faustina there, they have one daughter, Genesis.

"Ghana has become my adopted country," said Dr. Cox, "and I am committed to staying and doing what I can to help serve the needs of the community here. I hope other DCs will come here. If they are prepared to work hard and to give with their hearts, they will be most welcome."

Doctors interested in practicing in Ghana are invited to contact Dr. Cox by email at the spinalclinic@yahoo.com.



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