Informed consent of the patient

Abstract

This thesis deals with informed consent from a legal and practical perspective. Informed consent is a legal ground that legitimizes the interference with the patient's personal rights which completes the process of communication between the health care provider and the patient. This partnership model began to develop in the 1990s. Previously, a paternalistic model was preferred. The legislation on informed consent is primarily contained in the Convention on Human Rights and Biomedicine and Act No. 373/2011 on Specific Health Services (o zdravotních službách a podmínkách jejich poskytování).

The aim of this thesis was to analyse the legal regulation of informed consent and to examine its application in practice. At the beginning, the thesis deals with the development of the doctor-patient relationship with an emphasis on informed consent and the legal provisions that regulate this issue. Next, the thesis examines informed consent in more detail, discussing its legal nature, including the specific requirements for the elements of consent. Last but not least, the thesis discusses the legal regulation of informed consent in the Scandinavian countries and concludes with a practical part which analyses the current state of practice and points out the shortcomings of the legal regulation, and where possible, *de lege ferenda* changes are proposed.

Key words: Informed consent, information about the procedure, health service provider