

Your LMC and any other MCP who is involved in your care is legally required to respect your informed choices.

If you decline a recommended medical intervention your LMC/MCP may simply record your choice and continue to provide the care you have chosen. However, all MCPs have the right to refuse to continue to provide care or an intervention you request, if they believe that it will harm you, your baby or themselves professionally. In this situation, they must explain their concerns and assist you to change to a different care provider.

What you can do if you feel that your right to make informed choices has not been respected

- You can talk to your LMC or the MCP involved and remind them of your legal rights under the Code of Health and Disability Consumers' Rights.
- You can involve a support person of your choice in your discussions with any MCP.
- You can change to a different LMC or MCP.
- You can access a patient advocate through the nationwide Health & Disability Advocacy Service to assist you to address your issues with the maternity care provider. Telephone 0800 555 050 or email advocacy@hdc.org.nz
- If the issue involves an LMC midwife, you can get assistance from a New Zealand College of Midwives Resolution Committee. <https://www.midwife.org.nz/quality-practice/committees-resolution-committee>.
- If the issue involves a hospital employee, you can check the website of your District Health Board and make contact with the person who is responsible for Quality and Safety/Health Consumer Experience.
- You can make a complaint directly to the Health and Disability Commissioner.

Freephone **0800 11 22 33** or email hdc@hdc.org.nz or use the online form at www.hdc.org.nz/making-a-complaint/complain-about-care-you-received/

The NZ Code of Health and Disability Consumers' Rights
In NZ/Aotearoa you have the legal right:-

- to be treated with respect: to have your privacy, your values and beliefs respected.
- to be treated fairly and without being pressured, harassed or discriminated against.
- to have your care provided in a manner that protects your dignity and independence.
- to receive good quality health services, from appropriately trained health professionals who work co-operatively to meet your needs.
- to be given information in a way that you understand.
- to be fully informed about your condition and any proposed treatment and to be given the opportunity to make informed choices about all aspects of your care including:
 - expected benefits and possible risks and side effects
 - full information about any other options for care
 - how and when you will receive the results of any tests or procedures
 - who will be involved in your care, including the option to choose whether or not to have students/trainees involved, or to participate in any research.
- to refuse services or treatment and to withdraw consent for treatment you have previously agreed to.
- to have a support person(s) of your choice present.
- to be given time to come to a decision, including being provided with a written summary of the information to assist your decision-making if you request this.
- to be given access to a second opinion if you request it.
- to make a complaint if you believe any of your rights have been disregarded and to be given information about a fair and accessible complaints process including access to an independent advocate provided under the HDC Act 1994.

For more details: www.hdc.org.nz/your-rights/about-the-code-of-health-and-disability-services-consumers-rights

Your right to INFORMED CHOICE

during pregnancy,
labour and after your
baby is born



You have the right to be fully informed about any medications or medical procedures that are recommended for you or for your baby and to choose whether or not you consent to these.

What is informed choice?

Your maternity care providers are legally required to give you information and opportunities to make informed choices about all aspects of your maternity care.

They are required to give you accurate, evidence-based, unbiased information and answer any questions you have, about any *tests, treatments, medications or procedures* that they are offering or recommending, including any offer or request that you participate in the training of students or research, so that you can make an informed decision about whether or not you will give consent.

Informed choice is particularly relevant to maternity care because pregnancy, labour, birth and mothering are normal physiological processes that have ensured the survival of the human species, not illnesses, so healthy women could, in theory, progress through this normal life stage without any medical intervention. Most women however, appreciate the monitoring that they receive from their LMCs and some need the medical treatments and procedures that are available. Some women will trust their intuitive feelings about their baby's wellbeing and their own ability to have a healthy pregnancy and to labour and give birth, while others will look for reassurance and assistance from the available medical interventions.

"Informed consent is the process of exchanging information so that a patient/consumer can make an informed decision about their healthcare options, including the option of refusing the treatment, procedure or intervention."

Source: <http://www.waitemataadhb.govt.nz/patients-visitors/your-safety-in-hospital/informed-consent/>

* From now on, throughout this document, the term 'medical intervention' will include any or all of these types of medical procedures. *

Maternity care choices

Our current model of maternity care requires that all women make choices about an ever-increasing number of medical interventions from early pregnancy onwards.

Many women do not know that they have the right to make informed choices about all the medical interventions that are offered or recommended to them, during their pregnancy, labour and birth, as well as for themselves and their babies after they have given birth.

It is your body and your baby. You (and your partner/whanau) will have to live with the outcomes of these medical interventions. All medical tests have the possibility of giving you a non-reassuring and/or inaccurate result and all medical procedures and medications carry the possibility of risks or side effects. You do not get a choice about the outcomes. You have both the right and responsibility to decide what is best for you and your baby.

Your first maternity choice

- Defining your beliefs about pregnancy and childbirth.

Making informed choices will be easier if you clarify your beliefs.

Your beliefs are likely to sit somewhere along a spectrum of...

I believe pregnancy and birth are normal and choose not to include medical procedures in my care unless or until there are signs that these are necessary.

We are all individuals and so our decision-making processes are potentially different.

Informed choices about maternity care are made by:

- evaluating the information that is available;
- responding to our intuition or feelings;
- factoring in our values, beliefs, personal history, cultural background as well as the opinions and the experiences of whanau and friends;
- using the information sharing process to build a mutually respectful relationship with our LMCs so that we feel we can trust the recommendations s/he makes. (The LMC is still required to provide full information and the opportunity for you to consent to or refuse any medical intervention.)

Your second maternity choice

- Choosing a Lead Maternity Carer

Making informed choices will be easier if you have an LMC who respects your beliefs about pregnancy and birth. If your LMC is not willing or able, to initiate and engage in the conversations that are part of the informed choice process or to support and respect your choices, you can change to another LMC at any time.

I believe that medical professionals have training and expert knowledge about the interventions that will ensure the best outcome for my pregnancy and birth. I intend to use any medical intervention that is offered to me.

Making informed choices

Common medical interventions that you may need to make informed choices about include:

During your pregnancy

- Choosing a Lead Maternity Carer (LMC)
- Dietary supplements, eg. folic acid & iodine
- Blood tests (including checking for sexually transmitted infections)
- Safe food recommendations
- Genetic screening and testing
- Ultrasound scans for confirming pregnancy and estimating due date, screening for fetal anomalies and assessing fetal growth, weight and position etc
- Screening and testing for gestational diabetes
- Place of birth: home, maternity unit or hospital
- Pregnancy vaccination

Labour and birth interventions

- Induction of labour
- Pain relieving drugs and epidural anaesthetic
- IV hormones to speed up labour
- Electronic fetal hearttrate monitoring
- Breaking the 'waters' (amniotic sac)
- Forceps or ventouse assisted birth
- Episiotomy
- Early clamping and cutting of the baby's umbilical cord
- Actively managing the delivery of the placenta
- Caesarean section
- Restricted access to skin-to-skin contact between mother and baby immediately after the birth

After the birth – postnatal choices

- Breastfeeding
- Vitamin K
- Prophylactic (just in case) antibiotics for mother or baby
- Newborn screening & testing
- Safe sleep
- Family GP
- Vaccination

Question common assumptions!

Medical interventions can improve outcomes and sometimes save lives but many have become accepted as routine by maternity care providers (MCPs) and women.

You have the right to:

- decline any test that you don't want during pregnancy
- decline ultrasound scans during pregnancy (but you cannot have additional scans without a medical reason)
- to have a support person with you during any consultation or medical intervention
- choose whether or not to have students involved in your care
- choose whether or not to participate in research
- mobility and choice of position during labour and birth
- access to a pool during labour (and for birth) if one is available in your chosen place of birth
- choose when and if to have internal vaginal examinations during labour and birth
- choice of place of birth regardless of your age or if you've had a previous c-section
- privacy (including deciding who can be present during your labour and birth)
- decline routine interventions based on your age
- decline routine interventions during a vaginal birth after c-section (VBAC)
- decline routine interventions during a twin labour and birth
- delayed cord clamping and cutting and immediate skin-to-skin contact with your baby if you have a c-section
- challenge any care provider who tries to limit your rights by saying, "All that matters is a healthy baby."

Questions and considerations that you could bring to an informed choice conversation with your maternity care providers.

- What is the test or intervention called and what will it involve?
- What other medical personnel might be involved?
- Where would this medical intervention take place and how long is it likely to take?
- Is this test or intervention free or will I have to pay?
- Why are you recommending this medical intervention – is it routinely offered to all women or are you recommending it because of my symptoms/situation?
- What is the expected/desired outcome or result? How will this benefit me and/or my baby?
- How effective/accurate is this medical intervention?
- What would happen if the expected/desired outcome or result is not achieved?
- What are the risks and/or side effects of this medical intervention for myself and/or my baby?
- What other options/alternatives are there for managing this situation?
- If I decide not to have this medical intervention, what could happen for me and/or my baby?
- Ineed you to describe my options more simply? Do you have any pictures/diagrams that could help?
- I need more information before I make a decision. Can you provide me with information eg. pamphlets or internet links etc?
- Please provide me with (links to) the research for this recommendation.
- I need to discuss and consider some other information (eg. information that you've gathered, or that relates to your beliefs and/or your cultural background).
- How much time do I have to make a choice? Do I need to make a decision immediately? Is there time to discuss this with my partner/whanau or to get more information before making a choice?
- I don't feel/think what you're recommending is right for me and my baby.
- I have changed my mind about ...
- I would like a second opinion about this.
- Please give me some privacy and time to discuss and consider your recommendations with my partner/LMC/support people.

Decision-making

A decision-making model like B.R.A.I.N.S. can help ensure that you ask the questions that will give you the information you need for making informed choices about medical interventions. It can be especially helpful if other maternity care providers (MCPs) become involved in providing your maternity care and/or you need to make an informed choice quickly.

Use your B.R.A.I.N.S.

B **Benefits:** What are the expected benefits of this medical intervention. What is the rate of success in situations like mine/my baby's?

R **Risks:** What risks or side effects are associated with test, treatment or procedure? How often do these occur and how would they be managed? (NB There is no medical treatment or procedure that is free of the possibility of risk or side effects.)

A **Alternatives:** What alternative test, treatment or procedure is available here? What alternatives are there that might not be available here, but are available somewhere else?

I **Intuition:** What does your instinct or intuition tell you?

N **Not now thanks:** Could we wait and make a decision about this later? (i.e. "Watchful waiting")
No thanks: What could be expected if I do not consent to this test, treatment or procedure?

S **Second opinion:** Thank you for providing me with the information and your recommendation but I would like a second opinion.

LMCs, MCPs and maternity facilities

Your LMC, and any other MCPs you receive services from, is required to give you accurate, unbiased and evidence-based information to help inform your choices.

Good quality research produces generalisations which guide recommendations for medical intervention, but do not take into account an individual mother's circumstances or values.

During pregnancy most women will consent to some services that are provided by other medical personnel. Women who choose to give birth in a hospital or birthing unit, will likely have contact with other MCPs as well as their chosen LMC. Mother/Parents, LMCs and MCPs, all have the overall aim of a healthy outcome for mother and baby. MCPs however, are likely to recommend medical procedures that their training or experience has led them to believe will have the greatest chance of a predictable and controlled outcome (they can also be restricted by the policies and protocols in their contracts with the Ministry of Health and the maternity facilities in which they practice). Your choices are not limited by hospital/birthing facility policies and protocols. You cannot be forced to receive a medical intervention simply because the facility protocol recommends it. MCPs cannot threaten, frighten or harass you into consenting to any medical intervention. They cannot punish you, or provide lower quality care because you have refused to consent to a recommended medical intervention. Remember, you can always ask for a second opinion.



Maternity Services Consumer Council

The MSCC produces a range of resources to assist women and their whanau to make informed choices about their maternity care. www.maternity.org.nz/contact

We are also available to discuss and support you with any maternity care issues or concerns you may be experiencing.

This pamphlet is produced by
Maternity Services Consumer Council

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