

1. Definitions and interpretation

Certain capitalised words used in this Consent Manual have defined meanings. Where the term is used in one section only, it is usually defined in that section. Otherwise, the capitalised words have the meaning defined below. Some words defined below are used throughout the document but not capitalised.

Term	Meaning
Admitting Medical Officer	The Visiting Medical Officer, Staff Specialist, Honorary Medical Officer or Clinical Academic under whom the patient has been admitted and who is responsible for the clinical care of the patient for the particular episode of care.
Advance Care Directive (ACD)	A legally binding direction made by a patient with capacity, which describes a patient's future preference for the medical treatment they do or do not wish to have in the future, that will apply when the patient loses capacity.
Advance Care Planning	A discussion about a patient's values and the type of health care they would want to receive in the event they become seriously ill or injured and are unable to say what they want. Advance Care Planning does not necessarily result in a legally binding Advance Care Directive, but can do so.
Capacity	The ability of a patient to consent or refuse medical treatment. Capacity is used in this document rather than the term competent.
Gillick Competent	See Mature Minor . The <i>Gillick</i> case held that a child's capacity to consent increases as they approach maturity, or, in other words, the authority of a parent decreases as their child's capacity increases.
Health Literacy	How well individuals can access, understand and apply health information, so that they can make good decisions about their health.
Health Practitioner	An individual who practises a health profession (e.g. Medical Practitioners, Nurses, Midwives, Dentists) and who is registered under the <i>Health Practitioner Regulation National Law</i> . A Health Practitioner also includes staff that provide a health service but that are not required to be registered under the National Law, for example, speech pathologists and dieticians. A Health Practitioner is authorised by a public health organisation or NSW Ambulance to provide medical and healthcare treatment to a patient.
Health Record	A documented account, whether in hard or electronic form, of a patient's health, illness and treatment during each visit or stay at a Health Service or an episode of care. Health Record in this document has the same meaning as health care record, medical record, clinical record, clinical notes, patient records and so on.
Health Service	A Local Health District, Specialty Network, Affiliated Health Organisation or unit of the Health Administration Corporation that provides health services (for example the NSW Ambulance or NSW Health Pathology) as part of the NSW public health system.
Junior Medical Officer	A registrar (including basic and advanced trainees), junior medical officers and interns PGY1.
Mature Minor	A Minor who has a sufficient level of understanding and intelligence to enable them to understand fully what medical or healthcare treatment is proposed. Mature Minors may independently consent to or refuse medical or healthcare treatment. There is no set age at which a child or young person is capable of giving consent. It depends upon the treatment being proposed and the minor's ability to fully understand the implications of that treatment. The term Mature Minor is interchangeable with the term <i>Gillick</i> Competent. A court may still override a Mature Minor 's consent to or refusal of treatment in the Mature Minor 's best interests.
Medical Practitioner	A person registered to practise as a Medical Practitioner under the <i>Health Practitioner Regulation National Law</i> .
Minor	A child or young person under the age of 18 years.
must	Indicates a mandatory action that must be complied with.

Term	Meaning
Nurse or Midwife	A person registered as an enrolled nurse, registered nurse, midwife or endorsed nurse or midwife practitioner under the <i>Health Practitioner Regulation National Law</i> .
Nurse Practitioner	A registered nurse endorsed as a nurse practitioner under the <i>Health Practitioner Regulation National Law</i> . A Nurse Practitioner is educated and endorsed to function autonomously and collaboratively in an expanded and extended clinical role. The Nurse Practitioner role involves comprehensive health assessment, initiation and interpretation of diagnostic investigations, formation of diagnosis, prescribing of medications and other therapeutic intervention and the referral of patients to and from other Health Practitioners.
Patient	Any person who receives a health service and to whom, as a result, a Health Practitioner owes a duty of care. It also includes consumers, clients and the relevant substitute decision maker where the patient does not have capacity to consent.
Person Responsible	<p>A person entitled to provide consent to medical treatment on behalf of another person over 16 years of age who lacks capacity, under the hierarchy set out in the <i>Guardianship Act 1987</i>. This may include an enduring guardian, if one has been appointed.</p> <p>The term next of kin is not used in this document. A nominated next of kin may not be the Person Responsible and may have no legal authority to provide consent to medical or healthcare treatment on behalf of a patient without capacity.</p>
should	Indicates a recommended action that should be followed unless there are sound reasons for taking a different course of action.
Special Medical Treatment	Type of medical treatment requiring additional consent or approval pursuant to legislation. Also known as Special Treatment.