

AGE OF CONSENT STANDARD

UPDATED OCTOBER 2015



The College of
Dental Surgeons
of Saskatchewan

There is no current authority in Saskatchewan, Statutory or Regulation, which bases consent on age. Consent to a medical procedure is founded upon common law principles which allow for patients, regardless of age or marital status, to consent to their own medical treatment when they are able to understand and appreciate the nature of their illness, the options available for treatment and the risks and benefits associated with each treatment option (informed consent).

If a person does not have that capacity then the consent must be exercised by a legal custodian (i.e., parent or guardian or some person who has legal custodianship or authority to do so - court order, advance directive, proxy etc.) and has received the requisite information to give an informed consent on behalf of the patient.

[The above submitted by Reynold Robertson, CDSS legal counsel (June 2009)]

Members should consider predetermination of the payment for the service (if possible) with the parent, guardian or other, if the parent, guardian or other will be the payer for the service. This should be thought of as a 'predetermination of payment' for the payer. It may be prudent for the provider to give the patient/parent, guardian or other the option to be more involved in following treatment planning and the informed consent process to address the costs of the treatment.