

Health Law: Quality & Liability

Prof. Thaddeus Pope

Informed Consent -
Background, History



History



1847



CODE OF
MEDICAL ETHICS
OF THE
American Medical Association.

*ORIGINALLY ADOPTED AT THE ADJOURNED
MEETING OF THE NATIONAL MEDICAL
CONVENTION IN PHILADELPHIA,
MAY, 1872.*

CHICAGO:
American Medical Association, Printers
1880.



Do **NOT** consider
patient's "own
crude opinions"





1905



Battery



No consent

at all



1914



Patient
consented
to biopsy
not removal



Mary Schloendorff



“Every human being of adult years and sound mind has a right to determine what shall be done with his own body”



As of 100 years ago, law required physicians to get consent



It did not yet
require that the
consent had to be
informed





1960s



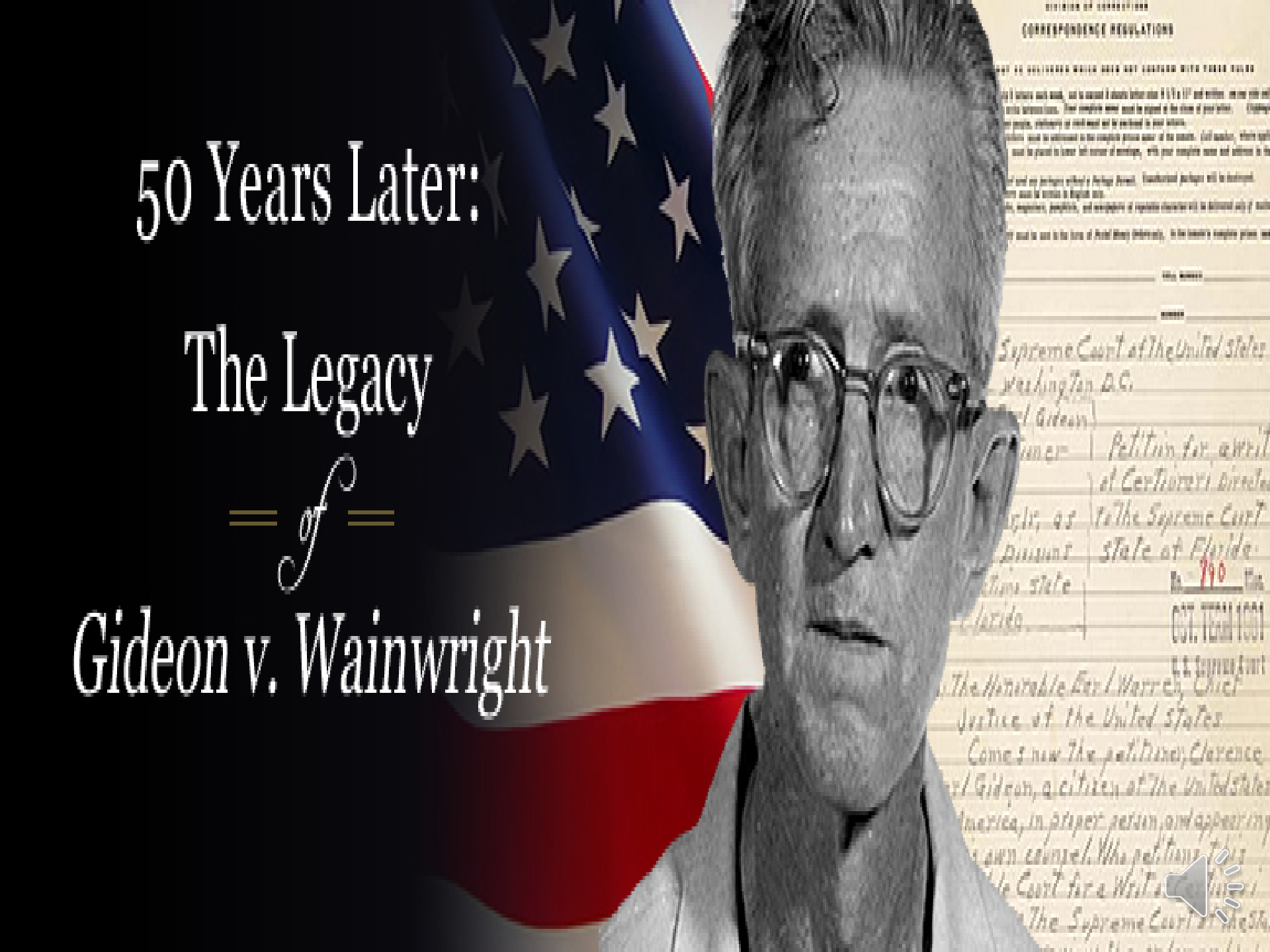
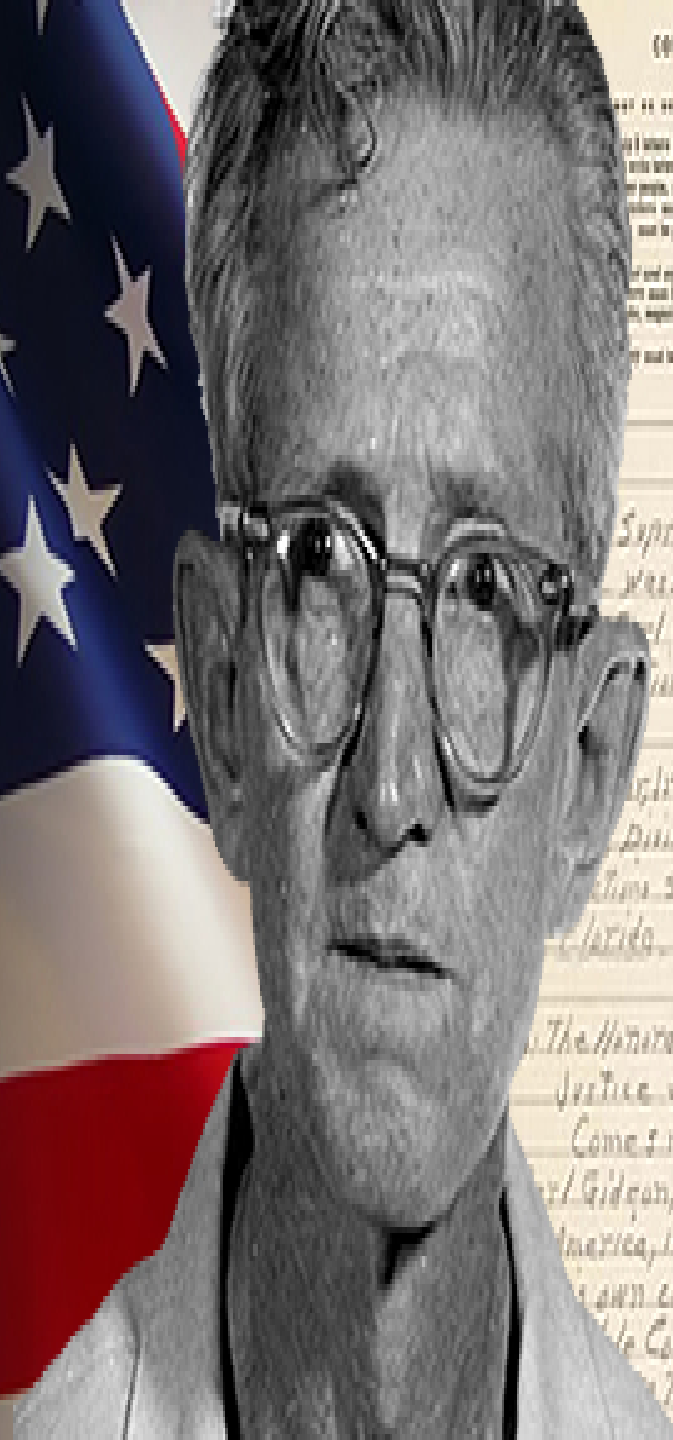


50 Years Later:

The Legacy

= of =

Gideon v. Wainwright



DIVISION OF CORRECTIONS
CORRESPONDENCE REGULATIONS

NOT TO DELIVERED SHALL NOT CORRESPOND WITH THESE RULES
to be returned with you, and to avoid future violation of the IF and other rules of
these regulations. The envelope must be signed at the time of your letter. Change
of name, address or other data must be enclosed in your letter.
Letters must be addressed to the complete prison name of the inmate. All mail, when
sent to prison is under full control of inmates, with your complete name and address in the
envelope and on packages without a Postage Stamp. Unaddressed packages will be returned.
Letters must be written in English ink.
The responses, judgments, and comments of inmates are forwarded to the Bureau of
Prisons and are used in the Bureau of Prisons Library, in the inmate's complete prison name.

Supreme Court of the United States
Washington, D.C.

Clarence M. Gideon }
Petitioner for a writ
of Certiorari directed
to the Supreme Court
of the State of Florida
vs.
The State of Florida
No. 190
OCT. TERM 1961
U.S. SUPREME COURT

The Honorable Earl Warren, Chief
Justice of the United States
Comes now the petitioner, Clarence
M. Gideon, a citizen of the United States
of America, in person, and appearing
on his own counsel. The petitioner prays
that the Court for a writ of Certiorari
be granted from the Supreme Court of the State
of Florida to the order and



**My
Mind**

**My
Body**

My Choice



1972





Jerry Canterbury 

That was just a
historical sketch,

Now, let's look at
this **doctrinally**

