The Right to Refuse Treatment

The right to refuse treatment is rooted in the Fourth Amendment as well. This right is also related to the concept of informed consent. The decision to consent or not to consent to a particular treatment, or court of treatments, must be based on all relevant and pertinent information. Intertwined with the right to refuse treatment is the concept that the client is ultimately responsible for making choices as it relates to his or her treatment. This ultimate responsibility speaks to the importance of maintaining the client’s dignity and self-respect. The importance of doing so is reflected in the ACA Code of Ethics (2005) where it describes the primary responsibility of the counselor as the act of respecting the dignity of the client, and in the NBCC Code of Ethics (2005, B.1) where it says “the primary obligation of [the counselor] is to respect the integrity” of the client.

Once again, this right is not absolute. The courts have established some situations where the client’s right to refuse treatment can be overridden by a superseding state interest. Some examples include protecting third parties from potential harm and the responsibility to maintain a client’s health (to not allow a condition to deteriorate) as well as financial consequences when a client decides to discontinue or refuse treatment.

References
