

수술동의서에 관한 법률적인 쟁점

Legal Issues Concerning Informed Consent

가

996 - 17

Doo Youn Hyun

The Daeoe Law Office Attorney – at – Law

E - mail : dyhyun@daeoe.com

가

Abstracts

An informed consent is a document signed by the patient or the patient's legal guardian(s) that signifies the acceptance that the patient will undertake a specific medical treatment suggested and explained by the health care provider(s). Recently, there have been an increasing number of circumstances where obtaining an informed consent is mandatory. However, a standard form and required content of the informed consent, as well as laws, regulations, and analyses regarding the concept of informed consent are not available. This article introduces an observation of the legal force of informed consent forms that are used in practice, and of the legal issues in connection with them.

Keywords : **Informed consent;**

Form and content of an informed consent;

Obligation – informed consent preparation;

Medical records; Obligation – explanation

;
;
;

1.

(手術同意書)

가

;

21

가

가

2.

가

20⁴⁾

1.

21³⁾

가

가

가

21 1

가

가

17

20

18

(

3.

233⁵⁾

3) 21 ()

(" ")

(21 2 1

33 2)

4) 20 ()

가

)

(

가

1

가

5) 233 (,7)

가

3

,7

3

가
 233 가 ,
 231 . , 53
 1 3 6)
 , , 가 가
 21
 ,
 53 1 3 (1997. 7. 22. , 96 37862
) 「 가

가 가
 1.

가 가
 , 가 가
 가 가
 가 가
 , 가 가 2.
 974 가 ((96 37862
 ,)) 「
 가

(1994. 11. 25. 94 35671)
 「 가 ,

6) 53 ()
 가 1 1
 3. 18 1 2 21 1
 7) , . : , 2002 1 , 677

