Consent for Infants of TDCJ Mothers

Audience

All staff in the Department of Care Management.

Policy

The following procedure shall be used when seeking consent for procedures for infants that have not been discharged and are born to TDCJ mothers.

Procedure

When an infant is born to a TDCJ mother and requires ongoing care, the Care Manager will discuss the consent process with mom prior to her discharge, if possible. This will entail the following information:

If it becomes necessary to seek consent for a medical procedure for the infant, an attempt will be made to contact the mother. If she is unable to be contacted, the following will be allowed to provide consent:

- The baby's father
- A grandparent
- An adult brother or sister of the child
- An adult aunt or uncle of the child
- A court hearing a suit affecting possession of the child
- An adult agency responsible for the child's actual care by a juvenile court

The above list will be followed in order of precedence, unless the mother states she does not want them to make the medical decisions. All attempts to contact mom, as well as her indications for medical consent, will be documented in the progress notes.

- The above list does not override the mother's written designation of care giver at discharge.

If an alternate caregiver (other than on the list) is selected for infant to be discharged to, they may only consent for medical procedures after they have taken possession of the child.

References

Texas Family Code, Chapter 32