# Resource Guide: Documenting AI Scribe Consent in the Provincial EMR (CHR)

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## General Information for Administrators, Nursing Staff and Clinicians

AI scribes are tools that can be used by healthcare providers to help ease documentation burden. AI scribe tools will record and transcribe medically important information then draft a summary note. The clinician is then responsible for reviewing the draft, making edits or additions and choosing what documentation they will enter into the patient's chart. Some AI scribes are capable of transcribing medically relevant information from 2-3 people in different languages at once. The AI scribe we are using on PEI (Tali AI) is capable of translating the documentation into English, French and Spanish. These features are part of what we are evaluating in the AI Scribe Pilot project.

Due to the nature of what AI scribes can do, informed consent by patients on the use of the tool is essential. Without the informed/knowledgeable and expressed consent an AI scribe tool cannot be used by clinicians. If the patient refuses/declines to consent, it will not affect the quality of care they are provided.

Consent for the use of the AI scribe during healthcare delivery, whether obtained or declined, must be documented on the patient's chart using the AI Scribe data point widget (in the Provincial EMR) for easy visibility for staff and healthcare providers and for auditing purposes.

## Documenting Consent: Responsibilities

✓ The discussion about consent for the use of AI Scribe will be started by MOA staff in the front office or when checking patients in. MOAs will also ensure AI scribe consent (or refusal) is documented in the data point widget before the patient is taken to the exam room.

✓ Booking staff (MOA or Booking Clerk, nursing or support staff) should ensure that patients are sent the Qnaire titled: "AI Scribe Privacy Notice and Consent".  It is recommended the Qnaire is sent at time of booking or when reviewing appointments in the schedule.  If the patient has not completed the Qnaire before arriving at their appointment time, it can be re-sent at time of check-in. The Qnaire is available in both English and French ("AI Scribe (FRENCH) Privacy Notice and Consent").

✓ If equipment/set-up allows, staff can go over the Qnaire questions with the patient on their office computer/tablet. Once the patient completes the Qnaire on their own or with the MOA (or support staff) the data point widget is updated (once confirmed and applied) and the Qnaire status will change to 'Confirmed'. The completed Qnaire can be

viewed in the appointment card itself in the schedule. Click on the 'Qnaire response' tab at the top of the appointment card.

✓ Informed or knowledgeable and expressed consent can be obtained verbally by MOAs, nursing or support staff at the time of the appointment if the patient has not or cannot complete the Qnaire electronically.

✓ To obtain consent verbally in person, the patient must be provided with a printed or laminated copy of the  AI Scribe Privacy Notice (available in English/French-see list of reference documents below). They will be asked to review the Privacy Notice and come back to the desk once they have.

✓ To obtain verbal consent MOA, nursing or support staff must **ask the 3 consent questions** from the script below, then document in the patient's EMR chart using the data point widget. When verbal consent is obtained in the office, staff will manually update the AI Scribe data point widget and may choose to add a Note to the data point widget.

✓ If anyone is granting consent on behalf of the patient, their name and relationship to the patient must be recorded in the Notes section of the data point widget.

✓ If consent is refused, then this would be recorded in the data point widget and the clinician cannot use an AI scribe tool for that patient.

✓ Patients can add conditions to their consent; this must be added to the Notes section of the data point widget. It could be related to appointment type or depending on who is in the room, it is up to the patient to decide.

## Part One: AI Scribe Privacy Notice Qnaire-Reviewing and Sending

When either booking the appointment, or checking them in for their appointment

MOA staff or support staff:

- When reviewing the upcoming schedule, click on the appointment cards and add the Qnaire for "AI Scribe Privacy Notice and Consent" (English or French) to the appointment.  Once the Qnaire has been added and the appointment saved, the notification will be sent to the patient and the appointment on the schedule will be automatically updated to indicate 'Action Required'.  This indicates that the patient has not yet completed the Qnaire: ([Telus Help: Incomplete Qnaire responses](#))
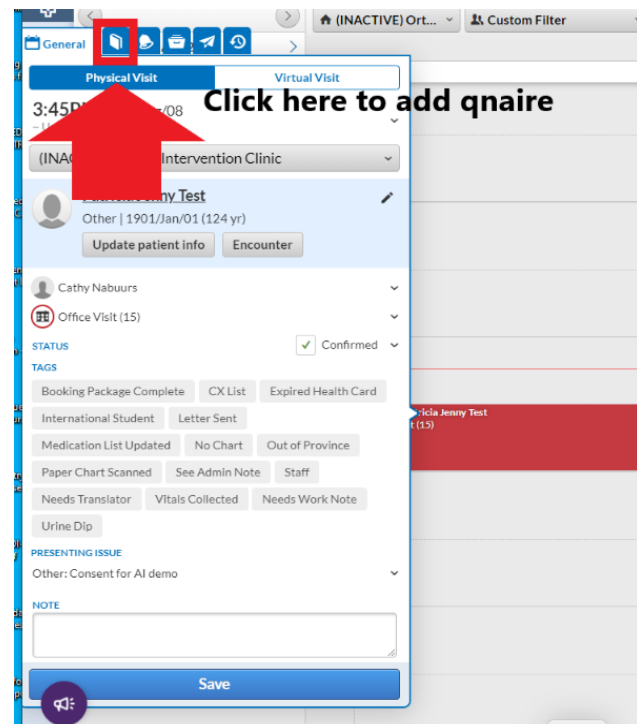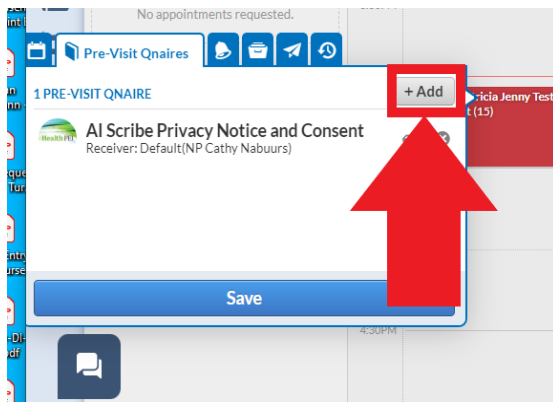
- The patient should receive the Qnaire by text, email, or both – as long as their notifications are turned on (Telus Help: Setting up notifications). The Qnaire will provide the patient with information about what an AI Scribe is, how it can help during their appointments with their clinician, and ask if they consent. Upon completion of the Qnaire and the response being confirmed and applied, the patient data point widget for AI Scribe Consent will be updated to reflect the patient's decision to allow the use of AI Scribe technology, or if they have declined. It will also show any Notes they have added or questions they might have before they will consent. Notes are important to review in advance.
- If at the time of the appointment, if the 'Action Required' status is still visible on the schedule, this indicates that the patient did not complete the Qnaire. You will need to request to resend the Qnaire or obtain consent from them verbally in office: asking the 3 questions from the Consent script (see next section).

Note: Admin staff could help the patient review the Qnaire (on the office computer screen or tablet) inside the encounter by using the 'Collect Data' option in the Qnaire section of the encounter- at the very top, above 'History'. This will update the data point widget.

## Confirming and Applying Qnaire result
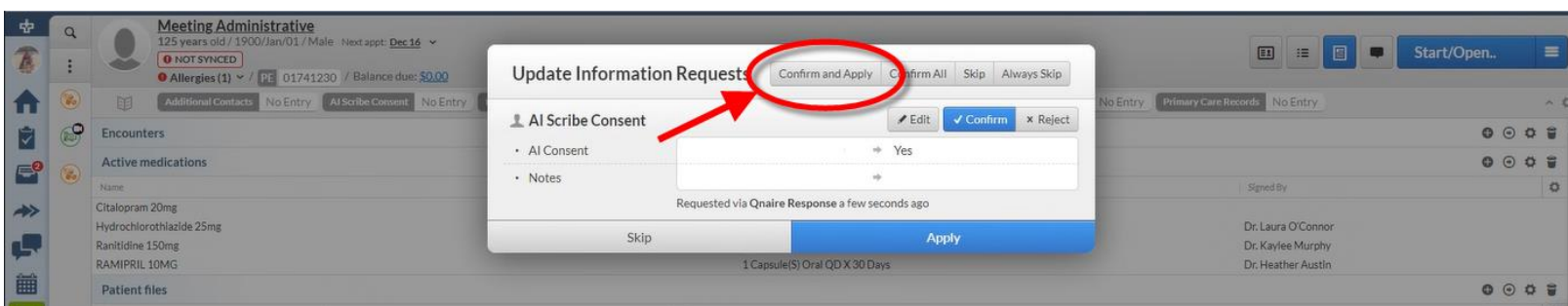


- Use "Confirm and Apply" to add the patient's Qnaire response to the Data Point widget
- If in your usual office workflow you monitor (as MOA) the clinicians' Inbox, you can click "Confirm and Apply" on the Qnaire response
- The clinician can complete this step as well

## Part Two: How to obtain Verbal Consent (when patient is unable to complete a Qnaire or does not want to receive via notifications)

1. Provide the patient with the "AI Scribe Privacy Notice"-printed or laminated copy to review before their appointment while they are waiting. Please ask them to review and return to the desk once they are done.
2. After the patient has had the opportunity to review the "AI Scribe Privacy Notice" an office staff member must ask the patient the following 3 Consent questions, and then manually update their EMR chart data point widget with their response, as described above.

**Required Questions for verbal consent:**

A. *The AI Scribe Privacy Notice explains how AI scribes collect and use your health information to help with your care. Have you had a chance to read and ask questions about the Privacy Notice?*

B. *Do you agree to let your healthcare provider (or use the clinician's name) use an AI scribe during your appointment?*

C. *Do you understand that your consent will continue unless you decide to take it back? You can say no to using the AI scribe at any time, and this will not affect your care."*

Resources: https://src.healthpei.ca/ai-scribe
www.PrinceEdwardIsland.ca/AIScribe (patient FAQs)

## Part Three: Finding the Data point widget in the Provincial EMR chart

This can be found in any of the following three locations:

1. If added to the **Patient Header,** the data point widget for AI Scribe Consent can be easily viewed and managed. This is the recommended option for ease of use. Use the gear symbol on the top right corner to customize your header (Telus Help: Customizing Patient Header).
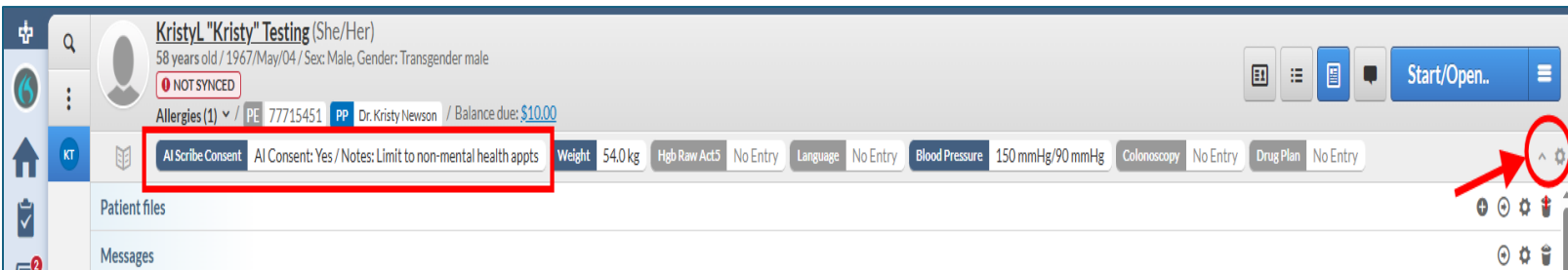


2. Or when in the Summary View, find the **Patient Data** section. The user will need to add 'AI Scribe Consent' to this view (using the gear in the Patient Data section), and it will appear below under the heading: '**Demographics – Extended'**
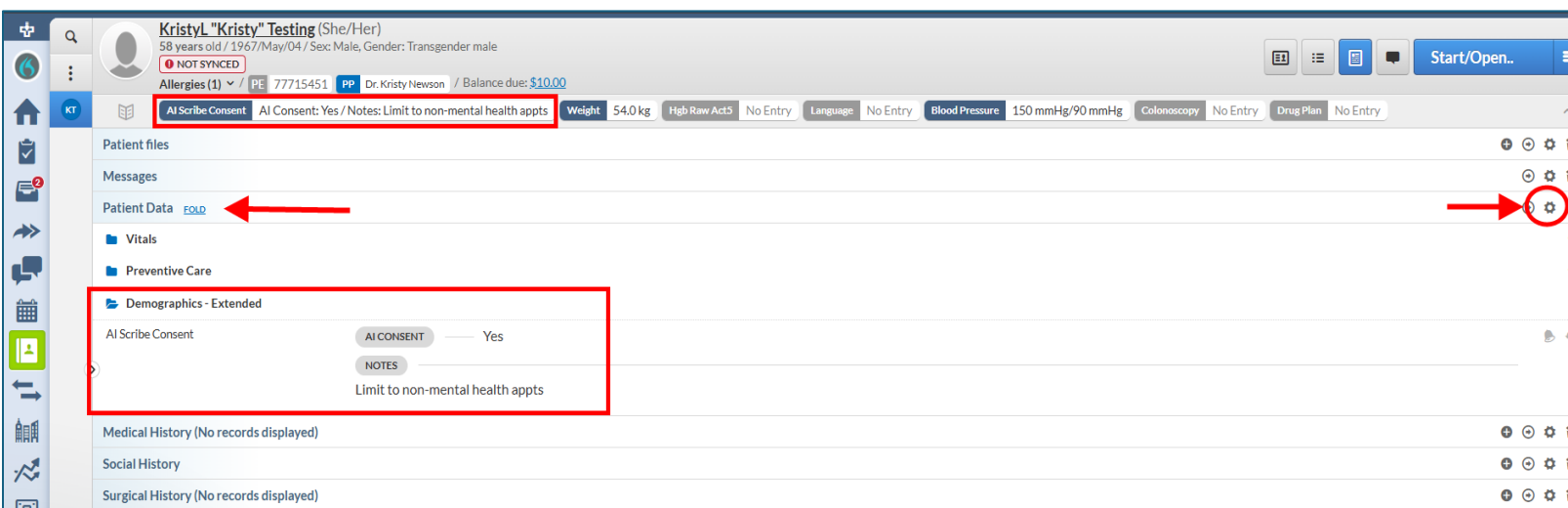
3. In the **Start/Open menu**, look for the Patient Data menu option. Again, this will be contained in the subfolder for 'Demographics – Extended'.

## Part Four: When AI Scribe Consent is declined

1. In the event the patient declines consent and does not want to allow the use of AI Scribe during their appointments, please change the patient data point "**No**". In 'Notes' document the name and relationship of anyone who is refusing on behalf of the patient.
2. Consider offering the patient 'rack card' to provide more information if they are interested.
3. Clinicians cannot use the AI Scribe tool if the patient refuses and will document as per previous/usual practice.

## Part Five: Consent for minors, or patients unable to provide consent by capacity (or language limitations)

### General:

- Consent may be provided by a parent, legal guardian, or the legal substitute decision maker of the patient where appropriate or **if the clinician decides** this is required for a patient (capacity, etc.)
- Consent can be obtained through a translator if the clinician feels the patient understands the "AI Scribe Privacy Notice".
- If consent or refusal for the use of AI scribe is being provided on behalf of the patient then the **name of the person providing it MUST be documented in the data point widget 'Notes' section**: "Providing consent: _____ (*Person's name/relationship to patient)*".

**AI Scribe Consent**

| | |
|---|---|
| • AI Consent | ○None ◉Yes ○No |
| • Notes | Only for non-mental health appts (as per Sam Smith-mother) |

| Close | Save |

Minors:

- **Important for minors:** Consent to the use of AI scribes during medical appointments that was granted on behalf of a child must be re-obtained when the patient (child) becomes a legal adult (age 18 yrs old) or their guardianship has been altered.
- **For minors presenting without a parent or legal guardian** admin staff can provide the 'AI Scribe Privacy Notice' and answer any initial questions. The actual informed consent discussion **must happen between the minor age patient and a licensed healthcare provider (RN, NP or physician)** who will decide whether the minor has the **capacity to grant** informed consent.
- <u>That healthcare provider will need to document in the data point widget and may choose to document in the encounter any further notes.</u>

## Reference Documents and Online Resources:

### For Staff

On the SRC: **https://src.healthpei.ca/ai-scribe**

- AI Scribe: Privacy Notice for Patients <sup>PDF</sup>
- AI Scribe: Consent Scripts <sup>PDF</sup>
- AI Scribe: FAQ for Clinicians <sup>PDF</sup>
- Tali AI: AI Scribe Features
- Tali AI: AI Scribe FAQs
- Tali AI: AI Scribe Product Demo
- Canada Health Infoway: AI Scribe – More Time for Patients <sup>VIDEO</sup>

### For Patients
 On:  **www.PrinceEdwardIsland.ca/AIScribe** (patient FAQs)

- Privacy and Your Personal Health Information