

## Who May Consent for Participation in Research Studies (Michigan)

	Participant = Minor	Participant = Incapacitated/ Incompetent Adult
<b>Outpatient Psychotherapy</b>	<ul style="list-style-type: none"> <li>o Minor age 14 or over if seeking limited confidential outpatient psychotherapy services under M.C.L. § 330.1707</li> <li>o Parent(s)* with legal custody or guardian†</li> </ul>	<p style="text-align: center;"><i>See “other clinical research” below.</i></p>
<b>Substance Abuse</b>	<ul style="list-style-type: none"> <li>o Minor if seeking confidential substance abuse treatment under M.C.L. § 333.6121</li> <li>o Parent(s)* with legal custody or guardian†</li> </ul>	
<b>STDs and HIV/AIDS</b>	<ul style="list-style-type: none"> <li>o Minor if seeking confidential substance abuse treatment under MCL M.C.L. § 333.5127</li> <li>o Parent(s)* with legal custody or guardian†</li> </ul>	
<b>Prenatal/ Maternity Care</b>	<ul style="list-style-type: none"> <li>o Minor if seeking confidential prenatal/maternity care under M.C.L. § 333.9132</li> <li>o Parent(s)* with legal custody or guardian†</li> </ul>	
<b>Research Involving Recipient of Mental Health Services</b>	<p><i>Generally: see “other clinical research” below.</i></p> <p><i>For surgical procedures:</i></p> <ul style="list-style-type: none"> <li>o Parent(s)* with legal custody</li> <li>o Guardian† (the guardian must be specifically legally empowered to execute a surgical consent)</li> </ul> <p><i>For ECT:</i></p> <ul style="list-style-type: none"> <li>o Parent(s)* with legal custody or guardian† (additional restrictions apply)</li> </ul> <p><i>Note: guardians who consent for experimental treatment on recipients of mental health services are not immunized from liability under the mental health code. See M.C.L. § 330.1629(3).</i></p>	<p><i>Generally: see “other clinical research” below.</i></p> <p><i>For surgical procedures:</i></p> <ul style="list-style-type: none"> <li>o The patient if he or she does not have a guardian for medical purposes</li> <li>o The guardian† of the patient if legally empowered to execute a consent to surgery</li> <li>o The representative (patient advocate) authorized to consent under a durable power of attorney or other advance directive</li> </ul> <p><i>For ECT:</i></p> <ul style="list-style-type: none"> <li>o The patient, unless the patient has a guardian</li> <li>o A guardian† if legally empowered to execute an ECT consent (additional restrictions apply)</li> </ul> <p><i>Note: guardians who consent for experimental treatment on recipients of mental health services are not immunized from liability under the mental health code. See M.C.L. § 330.1629(3).</i></p>
<b>Terminal Illness</b>	<ul style="list-style-type: none"> <li>o Parent(s)* with legal custody or guardian†</li> </ul>	<ul style="list-style-type: none"> <li>o Member of the immediate family</li> <li>o Next of kin</li> <li>o Guardian</li> </ul>
<b>Alzheimers</b>	n/a	<p><i>In order of preference:</i></p> <ul style="list-style-type: none"> <li>o Guardian</li> <li>o Spouse</li> <li>o Adult child or children</li> <li>o Parent</li> <li>o Other adult family members</li> </ul>
<b>Transplants (Receipt of Human Blood, Tissue, Organs, or Other Human Specimens)</b>	<p><i>In order of preference:</i></p> <ul style="list-style-type: none"> <li>o Parent(s) with legal custody*</li> <li>o Guardian† at the time the transplantation, transfusion, introduction, or injection is to be performed</li> </ul>	<p><i>In order of preference:</i></p> <ul style="list-style-type: none"> <li>o Spouse</li> <li>o Adult son or daughter</li> <li>o Either parent</li> <li>o Adult brother or sister</li> <li>o A guardian† at the time the transplantation, transfusion, introduction, or injection is to be performed.</li> </ul>
<b>Other Clinical Research</b>	<ul style="list-style-type: none"> <li>o Parent(s)* with legal custody or guardian†</li> </ul>	<ul style="list-style-type: none"> <li>o Guardian†</li> <li>o Patient advocate (named in a durable power of attorney for health care, or DPOA, if the DPOA is sufficient to allow the advocate to consent to research); <i>note that an incompetent patient may not grant a DPOA – this must be done before the patient becomes incompetent</i></li> <li>o Spouse</li> <li>o Adult child</li> <li>o Parent</li> <li>o Adult sibling</li> <li>o Other close adult relative</li> </ul>
<b>Other Social/ Behavioral Research</b>	<ul style="list-style-type: none"> <li>o Parent(s)* with legal custody or guardian†</li> </ul> <p><i>Note: guardians who consent for experimental treatment on recipients of mental health services are not immunized from liability under the mental health code. See M.C.L. 330.1629(3).</i></p>	<ul style="list-style-type: none"> <li>o Guardian†</li> </ul> <p><i>Note: guardians who consent for experimental treatment on recipients of mental health services are not immunized from liability under the mental health code. See M.C.L. 330.1629(3).</i></p>

\* Special requirements apply for wards. Foster parents generally do not have authority as parents to give permission for their wards to participate in research. Contact the IRB office when enrolling a ward on a study. Dual signatures may be required for studies involving more than minimal risk. See <http://tinyurl.com/2thcoo> for details. Detailed guidance on who is considered a “child” or “guardian” is provided in the Operations Manual, Part 7: <http://www.research.umich.edu/hrpp/om/Part7.pdf>.

† A “guardian” is a person with specific legal authority (e.g., through a court order or [temporary delegation](#)) to make decisions on behalf of his or her ward. Guardians and patient advocates may consent for research or experimental procedures only to the extent they are specifically legally empowered to do so (i.e. in the durable power of attorney or the court documents granting guardianship). Detailed guidance on who is considered a “child” or “guardian” is provided in the Operations Manual, Part 7: <http://www.research.umich.edu/hrpp/om/Part7.pdf>.