**Patient's rights in Iran and Iraq**

**Murtadha Al-Khafaji(1), Noorh Sajit(2), Shabnam Bazmi(3)\*, Mehrzad Kiani(4)**

1 Medical Surgical Nursing student, School of Nursing and Midwifery, Shahid Bahshti University of Medical Sciences, Tehran, Iran

E.mail: murtadha\_s77@yahoo.com

2Medical Surgical Nursing student, School of Nursing and Midwifery, Shahid Bahshti University of Medical Sciences, Tehran, Iran,

3 Associate professor, Medical ethics department, School of traditional medicine, Shahid Bahshti University of Medical Sciences, Tehran, Iran

E.mail:sh\_bazmi2003@yahoo.com

4 full Professor, Medical ethics department, School of traditional medicine, Shahid Bahshti University of Medical Sciences, Tehran, Iran

E. mail:mehrkia55@gmail.com

**Corresponding author:**

Shabnam Bazmi

E.mail:sh\_bazmi2003@yahoo.com

Phone:00989122575330

**Running title:** patients’ right: Iran, Iraq

**There is no competing interest and funding support**

**Introduction:**

The human rights declaration which is written in 1948, emphasizes on equality of all humans **(1)**. The concept of human rights has developed much since then affecting the rights of the more vulnerable people including patients. The understanding and perception of the patient rights differs across countries and cultures strongly intertwined with social norms **(2)**. Supporting patient rights is one of the main concerns of healthcare systems and is reflected as an indicator of health status in each country **(3)**. Patient rights is considered as one of the important factors for measuring the standards of clinical care. Many countries have considered definite rights for patients and these rights must be observed by health care systems **(4)**.

Any developing country who wants to progress in developing the quality of health care, should consider the important part of the human rights, as the patient rights. Even the patient right is not performed completely, but it is established worldwide. The patient right charter varies in different countries, but there are main principles in common which is agreed by most countries **(5-6)** for example; the right to access to data noted in their medical records and having full information about their condition, the right to choose freely, the right to proper treatment and care, and the right to respect privacy. It should be noted that cultural and socio-economic factors play an important role in people's understanding of rights in general and patients' rights in particular. **(7)**. In return, patients have responsibilities and obligations that they must recognize and act upon. Duties towards relatives, medical staff and themselves. For example, patients should provide the information they need about their health when they visit a health center, or notify the health center if their contact number or address changes. **(8)**.

In order to act according to the Charter of Patients' Rights, governmental and nongovernmental organizations must cooperate; however, there still seems to be a wide gap between healthcare providers and patients in terms of familiarity with patient rights and how to decide on health matters, even in countries where there is not only a charter of patient rights but also guidelines and laws exists **(4)**.

In Iran, the Charter of Patients' Rights was written in 2002 and sent to affiliated centers by the Ministry of Health and Medical Education. The proposed and amended text of the Patient Rights Charter was approved by the Policy Council of the Ministry of Health, Treatment and Medical Education on November 25, 2009 and was communicated to the relevant centers by the Minister on November 30 **(9)**. The rights set out for patients in the charters of different countries are more or less the same, for example, the right to have their health-related information, confidentiality, informed consent, to be independent, , to protest and the right to compensation. **(10)**.

Article 31 of the Iraqi Constitution (2005) guarantees health care for every Iraqi person, and the Ministry of Health has adopted a National Declaration of Patients' Rights in cooperation with USAID / Iraq. This statement includes the basic rights of the patient, which are also considered in many countries, such as: the right to access information, the right to respect privacy, participatory decision-making and access to care and treatment It seems that by acting on the provisions of these statements, patient satisfaction can be increased and it is necessary for health care providers to be sufficiently aware of patients' rights. **(11-12)**.

This study was conducted to review the Iranian and Iraqi research on the Charter of Patients' Rights, observance and knowledge and attitudes of those involved, including physicians, nurses, officials and patients, and the impact of various factors in this field.

**Method**

This is a review study conducted by searching databases, Scientific Information Database(SID), Iranian Research Institute for Information Science and Technology, Iran Medex , Academic scientific journals Iraqi and google scholar where was collected researches Iranian and Iraqi related to the Patient Rights from 2017 to 2020 using the keywords such as "Patient Rights", "Patient Rights Charter", "Patient Rights Observance", "Iraq", "Iran", and "Patient Awareness and Rights" were searched. There were 21 articles containing Iranian databases and 11 articles containing the Iraqi database, i.e. a total of 32 Iranian and Iraqi articles, only 25 of which achieved the goal of our study.

The primary criteria for selecting articles were their relationship to patient rights and the presence of one of the keywords in the article title. The criteria for including and excluding studies included the following: 1. an article published during the last three years 2017 (since the initial approval of the Patient Rights Charter) was published in Iraq. 2. Articles relating to the Patient Rights Bill were not considered (articles in which the Patient Rights Charter was revised in specific groups, such as the Charter for the Rights of Pregnant Mothers, the Charter for the Rights of Patients in Anesthesia, the Charter for the Rights of Mental Patients, and the Charter for the Rights of Patients in the Chemical War, Etc.) -3 articles in English or Farsi. 4- The subject should have a complete scientific structure. 5- An internal article has been published in scientific research journals. 6- The article should be of the type of research, case studies or review (reports and letters have been removed from the retrieved articles). 7- The article should contain a full text and it can be downloaded (articles that were not available except for its summary) were not considered.

**Results**

There were 21 articles containing Iranian databases and 11 articles containing the Iraqi database, a total of 32 Iranian and Iraqi articles, only 25 of them were consistent with the purpose of our study, and the rest were related to aspects of patient rights that were inconsistent with our study. In addition to articles, there were a number of abstracts presented in journals or presented at conferences existed. In reality, mainly, the case of the Patient Rights Charter was a comparative study of the Patient Rights Charter between Iraq and Iran, where it was a multi-faceted view of the patient rights phenomenon. Regardless of the type of focus of the studies searched, and based on the purpose of this study. There were also 9 English articles in international scientific databases, which dealt specifically with the issue of patient rights in Iran, also 2 articles in English in international scientific databases, which specifically address the issue of patient rights in Iraq. Persian and Iraqi equivalents of the article had been published in both Persian and Iraq scientific journals and thus were already reviewed as part of our literature. The results are presented in the Table 1,2.

**Table1. Summary of included studies regarding patient rights in Iran**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Author(s)** | **Title** | **Method** | **Sample & data collection** | **Results** |
| Parsapoor, Alireza, et al.  )2009)**9** | The necessity of observing patients' right: surveying patients', physicians' and nurses' attitudes around it | Descriptive analytical, Cross-sectional | 143 patients, 143 nurses and 82 doctors. | Service providers, especially the medical department, should be aware of the rights associated with the need to provide information to patients and pay attention to their choice and decision-making. While the two groups (patients and nurses) agreed on the necessity of the rights of most patients, no significant difference was observed regarding the position of the two |
| Joolaee et al.  (2009)**16** | The lived experiences of patients, physician and nurses with patients  rights practice in Iran: A phenomenological research | Phenomenology | Purposeful sampling. 9 patients and 3 companions, 8 nurses and 5 physicians were interviewed | Patients and their accompanying relatives, as well as physicians and nurses have similar understandings of patient’s rights and interpret it based on their own experiences. |
| Mosadegh  Rad and  Asna  Ashari (2004)**17** | Physician and patients’ awareness of observation of patient rights in Shahid Beheshti hospital | Cross-sectional, descriptive | 160 patients and 30 physicians in a hospital of Isfahan, Iran | The awareness of patients of their rights as 0.32+0.17 out of 1. 40% of patients had very weak, 41.9% weak, and 18.1% average awareness of their rights in hospital. The awareness of physicians of patient’s rights was 0.90+ 0.12 out of 1, ranking excellent. More specifically, the awareness of physicians of patient’s rights was weak in 3.7%, average in 7.4%, good in 11.1%, and excellent in 77.8% of the physicians evaluated. |
| Hasaniyan  (2005) **21** | Investigating nurses’ perception of observation of patient rights in Hamadan University of Medical Science hospitals | Cross-sectional,  descriptive | 75 nurses in hospitals of Hamadan, Iran were selected via convenience sampling | The positive attitude of nurses was 58% towards the right of respect, 67.7% towards the right of accepting or declining treatment, 64.3% towards the right of confidentiality, and 60.7% towards the right of patients in human researches. There were correlation between nurses’ attitude of the patient’s rights and work experience of nurses. |
| Farzianpour F et al.  (2016) **22** | Relationship between’patient’s rights charter’and patients’ satisfaction in gynecological hospitals. | cross-sectional, descriptive analytical | 304 patients, included patients in gynecological hospitals of TUMS | It was found that patients’ satisfaction is below the mean and its different aspects are higher than the mean level. However, the services of physicians and feeding recorded the highest and lowest satisfaction, respectively |
| Jazi and Nayeri  (2014)**13** | Barriers in the Performance of Patient's Rights in Iran and Appropriate Offered Solutions Review Article | review and analyze the previous studies | 27 articles were found suitable for the study, Iran | The most important factors mentioned in these articles as barriers to observation of patients’ rights included patients, nurses, physicians and students’ lack of awareness on patient's bill of rights, lack of comprehensive agreement on performance of patient's bill of rights in Iran |
| Mastaneh and Mouseli  (2013) **12** | Patients’ Awareness of Their Rights: Insight from a Developing Country | a cross-sectional descriptive and analytical | The research sample consisted of 200 patients | In 30.5% of cases, the total awareness of patients was weak, in 59.4% was moderate, and in 10.1% of them was good. The most awareness was about trust and assurance to confidentiality of treatment team, and the least was about providing sufficient information about treatment options and their complications. |
| Bazmi , Kiani, Hashemi Nazari(2015)24 | Assessment of patients’ awareness of their rights in teaching hospitals in Iran | cross-sectional descriptive | 202 patients | Patients’ knowledge was lowest regarding the need for consent for the treatment process and was highest regarding the patient’s right to know the expertise of the treatment team. The mean of patients’ knowledge was 77.56%. |
| Ansari, Abeid, Namvar, Dorakvand and Rokhafrooz (2013)(26) | Respect to the Bill of Patients' Rights in the Educational Hospitals in Ahvaz, Iran | cross-sectional | 500 out and inpatients in three educational hospitals | Most of participants (93.5%) did not get any information regarding patient’s right. Most of patients believed that their rights about knowing the name and specialty of physician have been ignored by health providers. This study showed that patient's information and attitude about bill of patients' right are not in the satisfactory level. |

**Table2. Summary of included studies regarding patient rights in Iraq**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Author(s)** | **Title** | **Method** | **Sample & data collection** | **Results** |
| Khalaf et al.  (2014) **19** | Assessment of Patients' Knowledge and Awareness about their Rights and Duties | A cross-sectional | 886 out of 1010 patients invited to participate in the study in the Basra city | Most patients (77.2%) didn't know about the existence of patients’ list of rights, even though they were aware about some of their rights, 72.2% of them disagreed to be prevented from access to information related to their health status, and 76.6% of them were aware about the privacy of such information. Most of the patients (73.5%) disagreed to withhold some information relevant to their health conditions, and 83.2% of them agreed to notify the PHC Center if they change their residential address. |
| Saeed and Al-Jawadi  (2017) **20** | Social Groups’ View Points Pertaining to Medical Ethics Practice in Mosul | A cross-sectional | Respondents of University of Mosul, primary and intermediate schools, and various governmental and private enterprises. | From 48 respondents 54.2% agreed that there are an intentional or unintentional ignorance of patients' rights from the physicians. While, half of the study sample (50%) was not sure that most of the physicians have a clear vision about their commitment to patients and society. |

**Discussion**

A study conducted by Jazi and Nayeri **(13)** showed the lack of appropriate knowledge of patients, nurses, doctors, and students of the Iranian Patient Rights Bill, as well as the results of many studies show that a large percentage of patients, doctors, nurses, and students are not familiar enough with the Patient Bill of Rights. Because patients also are not sufficiently aware of their rights in medical centers, their rights are ultimately not given enough attention. Where this study is similar to the study of Khalf et al. **(14)** where indicates that a greater percentage of the medical staff heard or read about the patient's rights document, but few of them have good actual knowledge of these rights. 85.6% of the study population believes they know patients 'rights but only 36% of participants know at least one of the patients' rights bill and only 2.4% of them know the four main rights. These findings suggest that the implementation of the Patient Bill of Rights may be associated with some degree of difficulty, as there are clear differences between what they believe to know and what they already know.

Some studies in Iran show that there are similarities between the attitudes of patients, nurses and physicians about patients' rights (15, 16), while most patients do not know enough about their rights, one of the reasons may be lack of information. Inadequate information through mass media or insufficient information to patients in medical centers.. a result which is similar to Khalaf et al. **(19)** where their study indicated Most Iraqi patients were unaware of the contents of their Charter of Rights, 72.3% of them wanted access to their medical records, and 76.6% of them were aware of their right to confidentiality. According to this study, a significant percentage of patients (53.8%) believed that it was better for them, that, physicians and medical staff make decisions about their health issues..

Saeed and Al-Jawadi **(20)** study indicates that there are an intentional or unintentional ignorance of Iraqi patients' rights from the physicians and only 41.7% of the sample considered that most of the populations have trusted the physicians. On the other hand, more than three quarters of the sample (77.1%) were not agreed about physicians’ scientific qualification, and capabilities are more important than ethical and humanistic side of medical practice. Whereas most Iranian studies were the opposite, where the study of Hasaniyan et al. **(21** showed that patients who are hospitalized in Tehran are more satisfied with the observance of the Charter of Patients' Rights by physicians and nurses and their satisfaction with the performance of physicians is twice that of nurses. In the study of Farazianpour et al. (22), patients' satisfaction with "health-related services" was more than average. In the study conducted by Nemati et al. **(23)**, satisfaction with “Medical Services” was reported to be more than the average. Bazmi study showed that Awareness of patients about the need for consent by the medical staff to perform therapeutic measures, was the lowest, and the highest was their awareness about the patient's right to know about the expertise of treatment team (24).. Indeed, society perspectives and suggestions are an important contribute to improve medical ethics practice and to restructuring the trust of medical profession in general. Attention to patient rights should be considered not only in clinical practice but also in research practice by the treatment team and researchers(25)

**Conclusion**

The increase in the number of researches and articles published by Iranian researchers in international and Iranian journals shows more attention to patients' rights, which has been emphasized by the Ministry of Health and Medical Education, but in order to achieve a better result in terms of implementing the provisions of the Patient rights' charter, it is necessary to consider education in this field during medical and nursing education and other related matters. While the Iraqi researchers attracted the issue of patient rights since 2013 and little during this period due to the security and economic situation to which the country is attributed, as well as the impact of the ongoing wars in Iraq from 2003 until now, which causes a clear weakness in the provision of health care services, in addition to the deterioration of ill Health services provided in the corridors and institutions of Iraqi health, and therefore this may lead to neglecting the patient's rights. It is clear that Iraqi studies and research regarding the patient's rights are few and very weak and suffer from severe neglect by researchers.

The results of this study indicate low level of knowledge in the rights of Iraqi patients and also some how in Iraninan patients’ right charter and areas of unsatisfactory attitudes towards some rights among health professionals in hospitals, the most important reasons of the physicians and nurses low level of knowledge are: (1) Lack of supervision over the implementation of the Charter of Patients 'Rights (2) Lack of standard research to determine the drawbacks of the Charter of Patients' Rights (3) Excessive work that prevents the implementation of the provisions of the Charter of Patients' Rights and adequate attention to patients (5) Lack of necessary facilities such as insufficient access to sufficiently valid and up-to-date articles and books in this regard.

The current study indicates that despite the poor knowledge of physicians about the patients' rights in Iran; they showed almost good awareness and attitude regarding some patients' rights Iranian. Being aware of patients’ rights is not necessarily accompanied by practical protection of such rights due to existence of external interfering factors which are out of physicians control in many cases. In addition to low levels of public knowledge, lack of adequate legal protection, resource constraints, disregard for nurses 'and physicians' rights, such as insufficient income, inadequate proportion of medical staff to patients, and a workplace with adequate job security.

**Recommendation**

Since previous studies show the need to increase the level of knowledge of medical staff and patients about patients' rights, it seems necessary to consider educational activities in this field more effectively, and in this regard, the mass media can play an important role. Continuous evaluation of the treatment staff is required to evaluate the effectiveness of the relevant training. These trainings may be in person and in attendance at classes, congresses or virtually, or introducing related books and articles. In addition to the Charter of Patients' Rights, communication skills and ethical principles of dealing with patients need to be seriously considered.

**Author contribution:**1,2: Idea of research, initial draft

3, 4: completing and correcting initial draft, research design

**Reference**

1. Universal Declaration of Human Rights, United Nations, available from http://

[www.un.org/en/universaldeclarationhuman-rights/](http://www.un.org/en/universal%20declarationhuman-rights/)

1. Patients' rights, World Health Organization, available from

[http://www.who.int/genomics/public/patient rights/en/](http://www.who.int/genomics/public/patient%20rights/en/)

1. Joolaee S, Nikbakht-Nasrabadi AR and Parsa-Yekta Z. Patient rights in Iran: A review article, Nursing Ethics 19(1) 45–57 , 2012,DOI: 10.1177/0969733011412100
2. World Health Organization. Patients’ rights and citizens’ empowerment: through visions to reality: joint consultation between the WHO Regional Office for Europe, the Nordic Council of Ministers and the Nordic School of Public Health. Copenhagen, Denmark, 1999, 22-23.‏
3. Almoajel A. Hospitalized Patients Awareness of Their Rights in Saudi Governmental Hospital. Middle East Journal of Scientific Research. 2012; 11 (3): 329-335.
4. WHO. Declaration on the Promotion of Patient’s Rights in Europe, 1994. WHO Regional Office for Europe, Copenhagen. Available at: [www.who.int/genomics/public/eu\_declaration1994.pdf](http://www.who.int/genomics/public/eu_declaration1994.pdf)
5. Joolaee S, Tschudin V, Nikbakht-Nasrabadi A, Parsa-Yekta Z. Factors affecting patients’ rights practice: the lived experiences of Iranian nurses and physicians. International Nursing Review. 2008; 55:55–61.
6. Kangasniemi, Mari, et al. Duties of the patient: a tentative model based on metasynthesis. Nursing Ethics. 2012; 19(1): 58-67.
7. Parsapoor A, Mohammad K, Malekafzali H, Alaeddini F, Larijani B. The necessity of observing patients, right: sueveying patients’, physicians’ and nurses’ attitudes around it. Journal of Medical Ethics and History of Medicine. 2009: 2(4): 79-90.
8. Joolaee S., Nikbakht-Nasrabadi A., Parsa-Yekta Z., Tschudin V. and MansouriSaleh I. AN IRANIAN PERSPECTIVE ON PATIENTS’ RIGHTS ,Nursing Ethics 2006 13 (5)
9. Saleh HA, Khereldeen MM. Physicians’ Perception towards Patients’ Rights in Two Governmental Hospitals in Mecca, KSA.  International Journal of Pure and Applied Sciences and Technology. 2013; 17(1): 37-47.
10. Mastaneh Z, Mouseli L. Patient’s awareness of their rights: insight from a developing country. International Journal of Health Policy and Management. 2013; 1: 143–146.
11. Jazi Z, Nayeri N. Barriers in the Performance of Patient's Rights in Iran and Appropriate Offered Solutions Review Article, Comprehensive nursing and midwifery. 2014; 24.4: 69-79.
12. Khalaf S, Al-Asadi J, Abed A, Shami S, Al-Shamry H. Knowledge and attitudes towards Patient's Rights among health care providers in primary care health centers in Basrah. International journal of pharmacy and pharmaceutical sciences. 2014; 4(3): 7-14.
13. Parsapour AR, Mohamad K, Malek Afzali H, Alaedini F and Larijani B. Investigating the attitude of patients, physicians and nurses on Patients’ Bill of Rights’ practice in Tehran private hospitals. Journal Medical Ethics and History of Medicine. 2009; 2(4): 79–90.
14. Joolaee S, Nikbakht-Nasrabadi AR and Parsa-Yekta Z. The lived experiences of patients, physician and nurses with patient rights practice in Iran: A phenomenological research. Iran Journal Nurses 2009; 22(60): 28–41.
15. Mosadegh Rad A.M, Asna Ashari P. Physician and patients’ awareness of observation of patient rights in Shahid Beheshti hospital. Journal Education Medical Science 2004; 11: 43–50.
16. Joolaee S and Mehrdad N. An investigation on patients’ awareness of their own rights. The proceeding book of Bioethics congress, Bursa, Turkey, 2003.
17. Khalaf S, Al-Asadi J, Abed A, Shami S, Al-Shammary H. Assessment of Patients' Knowledge and Awareness about their Rights and Duties. Kufa Journal for Nursing Sciences. 2014; 4(3): 1-9.
18. Saeed N, Al-Jawadi A. Social Groups’ View Points Pertaining to Medical Ethics Practice in Mosul. Iraqi Journal of Community Medicine, 2017, 30.1: 1-5.‏
19. Hasaniyan M. Investigating nurses’ perception of observation of patient rights in Hamadan University of Medical Science hospitals. Journal Nurses Research. 2005; 27(3):269-99.
20. Farzianpour F, Foroushani A, Sadeghi N, Nosrati S. Relationship between’ patient’s rights charter’ and patients’ satisfaction in gynecological hospitals. BMC health services research. 2016; 16(1), 476.
21. Nemati F, Mohammadnejad E, Tabatabaei A, Ehsani S, Sajjadi A, Hajiesmaeilpoor A. Satisfaction rate of hospitalized patients in teaching hospitals with presented services. Medical Ethics Journal. 2014; 8(28):29–50.
22. Bazmi Sh. , Kiani M., Hashemi Nazari S. S. Assessment of patients’ awareness of their rights in teaching hospitals in Iran, Medicine Science and the Law · September 2015, DOI: 10.1177/0025802415605536
23. Kalantar Motamedi M.H, Breaching Medical Ethics in Research, Trauma Mon. 2014 April; 19(2): e17112.
24. Ansari S., Abeid P., Namvar F., Dorakvand M. and Rokhafrooz D. Respect to the Bill of Patients' Rights in the Educational Hospitals in Ahvaz, Iran, Middle-East Journal of Scientific Research 13 (4): 440-444, 2013

**Abstract**

The aim of this study was to compare, review and evaluate the prior studies about patients right in Iran and Iraq. This systematic review study conducted by searching the Iranian and Iraqi databanks from 2002 to 2017 using appropriate keywords. In total of 32 Iranian and Iraqi articles, only 25 achieved the goal of our study and the study showed that, the growing number of articles published from 1999 forwards, this topic began to attract the attention of Iranian researchers in a gradual manner, as for the Iraqi researchers, their attention has been attracted from 2013 onwards. and despite the poor knowledge of physicians about the patients' rights in Iran; they have shown acceptable awareness and attitude regarding some parts of patients' rights charter. The same is true for Iraqi doctors and health care providers, but they have shown unsatisfactory consequences for some of the rights of Iraqi patients. The results of this study shows that, patient education , careful observation of the Patient Rights Charter, educating healthcare professionals, and developing professional training on patients' legal rights by engaging them in educational sessions and lectures on patient rights is necessary. Adequate monitoring of practice according to the Patient Charter is strongly suggested.

**Keywords:** Patient's rights, Patient Rights Charter, Patient Rights Observance, Iran, Iraq, Patient Awareness and Rights.