

# Patients' charter



## SECTION 1: PATIENTS' RIGHTS

### 1. The Right to Medical Care:

Every person in need of medical care is entitled to impartial access to treatment in accordance with regulations, conditions and arrangements obtaining at any given time in the government health care system.

In a medical emergency, a person is entitled to receive emergency medical care unconditionally in any health facility without having to pay any deposits or fees prior to medical care.

### 2. Prohibition of Discrimination:

No health facility or health provider shall discriminate between patients on ground of disease, religion, political affiliation, disability, race, sex, age, social status, ethnicity, nationality, country of birth or other such grounds.

### 3. Participation on decision – making:

Every citizen has the right to participate or be represented in the development of health policies and systems through institutions.

### 4. A healthy and safe environment:

Everyone has the right to a healthy and safe environment that will ensure physical, mental and social well-being, including adequate water supply, sanitation and waste disposal as well as protection from all forms of environmental dangers such as pollution, ecological degradation and infection.

### 5. Proper Medical Care:

A patient shall be entitled to appropriate health care with regard to both its professionalism and quality assurance based on clinical need.

### 6. Be treated by a named health care provider:

a. Everyone has the right to know the identifiable and professional position of the person providing health care and therefore shall be attended to by clearly identifiable health care provider.

b. Ministry of Health shall issue guidelines as to the way clinicians and every health worker in medical facility shall be identified.

### 7. Training and Research:

The participation of a patient or client in clinical training programs or for the purpose of obtaining information shall be voluntary and informed with written or verbal consent – and consent shall be witnessed.

### 8. Right to safety and security:

The patient has the right to safety and security to the extent that the practices and installations of the health facility do no harm.

### 9. Receiving visitors

A patient hospitalized in a health facility is entitled to receive visitors at the times, and according to the guidelines provided by the facility management.

### 10. Informed consent

Every patient has the right to be given adequate and accurate information about the nature of one's illness, diagnostic procedures, the proposed treatment for one to make a decision that affects any one of these elements.

#### The way in which informed consent may be given.

a. Informed consent may be given verbally or in writing or demonstrated by patient's behavior. Consent should be witnessed.

b. In a medical emergency, informed consent shall be given as soon as possible afterwards. The patient has the right to decline to participate in such activities.

### 11. Medical Care without consent

A health provider may give medical treatment without informed consent of the patient if:

a. The patient's physical or mental state does not permit obtaining his/her informed consent

b. It is impossible to obtain the consent of the patient's representative or of the patient's guardian, where the patient is a minor or an incapacitated person.

### 12. Refusal of treatment

a. A person may refuse treatment and such refusal shall be verbal or in writing provided that such refusal does not endanger the health of others.

b. But the health provider may perform the treatment against the patient's will if the facility management has confirmed the following conditions that:

i. The patient has received information as required to make an informed choice.

ii. The treatment is anticipated to significantly improve the patient's medical condition.

iii. There are reasonable grounds to suppose that after receiving treatment, the patient will give his/her retrospective consent.

c. When the refusal of treatment by the patient or his/her authorized representative interferes with the provision of adequate treatment according to professional standards, the relationship between the patient and the health provider shall be terminated with reasonable prior advance notice.

### 13. Be referred for a second opinion

Every person has the right to be referred for a second opinion with or without request or when indicated.

### 14. Continuity of Care

No client shall be abandoned by a health care professional worker or a health facility which initially took responsibility for one's health.

### 15. Confidentiality and privacy

Patients have the right to privacy in the course of consultation and treatment. Information concerning one's health, including information regarding treatment may only be disclosed with informed consent,

except when required by law or on court order.

Facility management shall make arrangements to ensure that health workers under their direction shall not disclose any matters brought to their knowledge in the course of their duties or their work.

Health facility or health worker may however pass on medical information to a third person in any of the following cases:

i. That the disclosure is for the purpose of the patient's treatment by another health worker.

ii. That disclosure of the information is vital for the protection of the health of others or the public, and that the need for disclosure overrides the interest in the information's non-disclosure.

iii. That the disclosure is for the purpose of publication in a medical journal or for research or teaching purposes if all details identifying the patient have been suppressed.

### 16. The Patient's Right to Medical Information

The patient shall be entitled to obtain from the clinician or the medical facility medical information concerning himself/herself, including a copy of his/her medical records.

### 17. Custody of Medical Records:

The Ministry of Health shall be the legal owner and custodian of the medical records and will ensure that the confidentiality be the responsibility of all health workers.

### 18. Medical records Retention (Medical archives)

1. General - 25 years or 3 years after death

2. Obstetric - 25 years after the birth of the child (including still birth)

3. Psychiatric - Lifetime of the patient or 3 years after death

At the conclusion of periods set out above, the records may be destroyed but there is no obligation to do so. For research, clinicians may ask for indefinite retention.

### 19. Right to Redress

Every health facility shall designate a person or a committee to be responsible for the observance of patient rights, whose duties shall be:

a. To give advice and assistance to a patient as to the realization of her/his rights spelt out in this document.

b. To receive, investigate, and process patient's complaints. Complaints regarding the quality of medical care shall be referred to the attention of the facility in-charge.

c. To educate, and instruct all medical and administrative staff in the facility in all matters regarding the patient's.

## SECTION 2: PATIENTS' RESPONSIBILITIES

### 20. Provision of information:

Every patient has the responsibility to provide the health worker with relevant, complete and accurate information for diagnostic, treatment rehabilitation or counseling purposes.

### 21. Compliance with instructions:

The patient has the responsibility to comply with the prescribed treatment or rehabilitation procedures meant to improve his/her health.

### 22. Refusal of treatment:

The patient takes responsibility for his/her actions if he/she refused to receive treatment or does not follow the instructions of the health worker.

### 23. Respect and consideration:

The patient has the responsibility to respect the rights of other patients and the health workers and for helping to spread diseases, control noise, smoke and the number of visitors.

He/she shall respect the rights and property of other persons and of the health facility. Patients should refrain from using verbal abuse or physical violence against health workers or other patients.

### 24. Will:

The patient is free to advise the health care workers on his/her wishes with regard to his/her death including dying in dignity, spiritual support as well as organ support.