

## **PATIENT RIGHTS AND RESPONSIBILITIES**

### **5.1 PURPOSE**

To assure that all patients are treated fairly and humanely and to provide for them the opportunity to address all complaints or grievances and to formally state this principle as a hospital policy.

### **5.2 BACKGROUND**

Mt. Edgumbe Hospital has accepted as guiding principle, the doctrine promulgated by the American Hospital Association, "A Patient's Bill of Rights" adopted by the AHA'S Board of Trustees on October 21, 1992. The statement was adopted with the hope that the observance of these rights would contribute to more effective patient care and greater satisfaction for the patient, the physician, and the hospital.

No catalog of rights can guarantee for the patient the kind of treatment he/she has a right to expect. A hospital has many functions to perform, including the prevention and treatment of disease, the education of both health professionals and patients, and the conduct of clinical research. All these activities must be conducted with an overriding concern for the patient, and above all, the recognition of his/her dignity as a human being. Success in achieving this recognition assures success in the defense of the rights of the patient.

The collaborative nature of health care requires that patients, or their families/surrogates, participate in their care. The effectiveness of care and patient satisfaction with the course of treatment depend, in part, on the patient fulfilling certain responsibilities.

### **5.3 POLICY**

#### **5.3.1. Patient Rights**

The patient has the right to considerate and respectful care. This includes appropriate assessment and management of pain.

The psychosocial, spiritual, and cultural variables and concerns that influence perceptions of illness and the dying patient should be considered. The patient who is dying has the right to care that will optimize his/her comfort and dignity throughout the treatment, as desired by the patient or his/her next of kin in the absence of an advanced directive.

The patient has the right to, and is encouraged to, obtain from physicians and other direct caregivers relevant, current and understandable information concerning diagnosis, treatment, and prognosis.

Except in emergencies when the patient lacks decision-making capacity and the need for treatment is urgent, the patient is entitled to the opportunity to discuss and request information related to the specific procedures and/or treatments, the risks involved, the possible length of recuperation, and the medically reasonable alternatives and their accompanying risks and benefits.

Patients have the right to know the identity of physicians, nurses, and others involved in their care, as well as when those involved are students, residents, or other trainees. The patient also has the right to know the immediate and long-term financial implications of treatment choices, insofar as they are known.

The patient has the right to make decisions about the plan of care prior to and during the course of treatment and to refuse a recommended treatment or plan of care to the extent permitted by law and hospital policy and to be informed of the medical consequences of this action. In case of such refusal, the patient is entitled to other appropriate care and services that the hospital provides or information regarding transfer to another hospital. The hospital should notify patients of any policy that might affect patient choice within the institution.

The patient has the right to have an advance directive (such as a living will, health care proxy, or durable power of attorney for health care) concerning treatment or designating a surrogate decision maker with the expectation that the hospital will honor the intent of that directive to the extent permitted by law and hospital policy. Advance directives are included in patient records.

The patient has the right to every consideration of privacy. Case discussion, consultation, examination, and treatment should be conducted so as to protect each person's privacy.

The patient has the right to expect that all communications and records pertaining to his/her care will be treated as confidential by the hospital, except in cases such as suspected abuse and public health hazards when reporting is permitted or required by law. The patient has the right to expect that the hospital will emphasize the confidentiality of this information when it releases it to any other parties entitled to review information in these records.

The patient has the right to review the records pertaining to his/her medical care and to have the information explained or interpreted as necessary, except when restricted by law.

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## **PATIENT RIGHTS AND RESPONSIBILITIES ... continued**

The patient has the right to expect that, within its capacity and policies, the hospital will make reasonable response to the request of a patient for appropriate and medically indicated care and services. The hospital must provide evaluation, service, and/or referral as indicated by the urgency of the case. When medically appropriate and legally permissible, a patient may be transferred to another facility. The institution to which the patient is to be transferred must first have accepted the patient for transfer. The patient must also have the benefit of complete information and explanation concerning the need for, risks, benefits, and alternatives to such a transfer.

The patient has the right to ask and be informed of the existence of business relationships among the hospital, educational institutions, other health care providers, or payers that may influence the patient's treatment and care.

The patient has the right to consent to or decline to participate in proposed research studies or human experimentation affecting care and treatment or requiring direct patient involvement, and to have those studies fully explained prior to consent. A patient who declines to participate in research or experimentation is entitled to the most effective care that the hospital can otherwise provide.

The patient has the right to expect reasonable continuity of care when appropriate and to be informed by physicians and other caregivers of available and realistic patient care options when hospital care is no longer appropriate.

The patient has the right to be informed of hospital policies and practices that relate to patient care, treatment, and responsibilities. The patient has the right to be informed of available resources for resolving disputes, grievances, and conflicts, such as ethics committees, patient representatives, or other mechanisms available in the institution. The patient has the right to be informed of the hospital's charges for services and available payment methods.

### **5.3.2. Patient Responsibilities**

Patients are responsible for providing information about past illnesses, hospitalizations, medications, and other matters related to health status. To participate effectively in decision making, patients must be encouraged to take responsibility for requesting additional information or clarification about their health status, pain management, or treatment when they do not fully understand information and instructions. This includes potential limitations and side effects of pain management therapies and other treatments.

Patients are responsible for ensuring that the health care institution has a copy of their written advance directive if they have one. Patients are responsible for informing their physicians and other caregivers if they anticipate problems in following prescribed treatment. Persons entering into patient care contracts are responsible for fulfilling their obligations in the contract and discussing with their providers difficulties they may have meeting their goals, objectives and treatment strategies.

Patients should also be aware of the hospital's obligation to be reasonably efficient and equitable in providing care to other patients and the community. The hospital's rules and regulations are designed to help the hospital meet this obligation. Patients and their families are responsible for making reasonable accommodations to the needs of the hospital, other patients, medical staff, and hospital employees.

Patients are responsible for providing necessary information for insurance claims and for working with the hospital to make payment arrangements, when necessary.

Patients are responsible for recognizing the impact of their life-style on their personal health. A person's health depends on much more than health care services.

Patients are responsible for informing staff if the care provided may create a risk for patient safety.