

# PATIENTS' RIGHTS

A number of overseas countries have adopted statements concerning health rights of hospitalized patients. This has been neglected in South Africa and hospital patients often suffer because they do not have a clear idea of what their rights are or what they ought to be. At present examples of the existing rights of South African patients are the right to refuse treatment and they are protected by their having to sign consent forms for various investigations and operations.

The fact that hospital patients have been singled out is not to say that hospital patients are more important. Hospital care is a small but important part of a much larger health system. It is felt that a broader charter of peoples rights with regard to health care could arise out of a charter of rights for hospital patients.

A charter of the rights of hospital patients by itself is insufficient. In each hospital the conditions should be created such that these rights are respected and adhered to. The patients must have access to some process whereby a failure to ensure these rights can be challenged. Every patient must be fully aware of what his or her rights are.

These rights can form a basis from which to work. Certain patients for eg. psychiatric patients will need additional protection of their rights.

Community groups in South Africa could demand the adoption of a charter of hospital patients rights to ensure that all people are treated properly in their local hospital.

The following is a draft of demands which could be taken up. It is based on patients' rights in other countries in Europe and America. (It must be stressed that for the purposes of this publication the list is brief and therefore incomplete).

A patient has the right

- to appropriate health care regardless of race, class, sex or religion.
- to respectful and considerate care as well as respect for and recognition of her or his religious, cultural and philosophical beliefs.
- to the protection of his or her privacy. Case discussions, consultations, examinations and treatment should take place confidentially and conducted discreetly. The patient has the right to be advised as to the reason for the presence of any individual at any examination or case discussion.
- to have all communications and records pertaining to her or his case and stay in hospital to be kept confidential.
- to receive reasonable responses to any reasonable request he or she might have.
- to have adequate continuity of care and to know that any personnel looking after the patient will inform any subsequent personnel of all the factors involved in the patient's case.
- to be advised if hospital personnel propose to involve the patient in any experimental procedures and the right to refuse to participate in such procedures.
- to complain about her or his treatment and to have the complaint investigated and to be informed as to the outcome of the investigation.
- to have access to all facilities appropriate to her or his illness.
- to know the outcome of any investigations carried out on the patient, the expected course of treatment and the prospects of recovery, and the side effects of any proposed treatment. This should be explained to a patient in an understandable way.

- to participate actively in decisions regarding his or her medical care.
- to be fully informed of the continuing health requirements following discharge from hospital.
- to receive an explanation of her or his account regardless of the source of payment.
- to be informed of any hospital rules applying to him or her as a patient.

In conclusion the rights of patients should be drawn up by patients, paramedics and hospital staff and community organisations.

This article is intended to introduce the notion of patients' rights. Comments and personal experiences would be welcome in an effort to develop the relationship between patients and hospital staff as equal members in the health care team.

