

Patient's Rights

Core Competency Inservice

January 2020

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Patient's Bill of Rights

The patient's bill of rights is a list of reasonable expectations for those receiving medical care. It may take the form of a law or a non-binding declaration either through the federal or state government. The Consumer Bill of Rights was developed by the federal government. This has been used as a foundation for many health plans, including federal government-sponsored health plans.

The Purpose of the Patient's Bill of Rights

- Build up consumer confidence, empowering them to participate actively in their own health care
- Strongly support the importance of a good provider- patient relationship
- Emphasize consumer's rights when it comes to health insurance, privacy and health improvement

Patients have the Right to

Information Disclosure

Every person rightfully deserves to receive accurate information about healthcare, health plans, healthcare professionals, and healthcare facilities, in a manner in which they can understand. If they speak another language, have a physical or mental disability, or just don't understand something, appropriate assistance will be provided so they can make informed health care decisions.

Choice of Providers and Plans

Every person deserves the right to choose an appropriate health care provider that will provide appropriate high-quality health care.

Access to Emergency Services

If a person feels that their health is in jeopardy, they have the right to receive emergency healthcare services at any time or place needed.

Participation in Treatment Decisions

Every person has the right to know all their treatment options and participate in decisions about their care. People also have the right to designate a representative to speak on their behalf if they are unable to make healthcare decisions.

Respect and Nondiscrimination

All people have the right to receive respectful and nondiscriminatory care from every employee in the healthcare setting at all times.

Confidentiality of Health Information

All people have the right to talk privately with their healthcare providers. They are also given the right to keep their personal healthcare information safe and protected. Every patient has the right to review their medical record, correct mistakes, and obtain a copy for their personal use.

Complaints and Appeals

All people have the right to a fair, fast, and objective review of any complaint they have against healthcare plans, personnel or institutions.

Some existing health plans are “grandfathered,” meaning they don’t have to follow all of the new rules as long as they keep the old plan in effect. Check each plan to find out exactly what they do and don’t follow.

Patient Rights under HIPAA

Under HIPAA, patients have the right to:

- Receive a privacy notice to inform them about how protected information will be used and disclosed
- Have their personal healthcare information protected
- Inspect, obtain a copy, and amend their medical records (providers are allowed to charge a reasonable fee for copying expenses).
- Get an account of what protected information was disclosed for the past six years and file a complaint.

Additional Rights Outlined by Joint Commission

Patient rights should address the unique needs of the individual. Patients have the right to:

- Have a language interpreter if needed
- Receive accommodations for disabilities
- Be free from discrimination when receiving care
- Identify a support person to be present during a hospital stay
- The right to a discharge plan.
- Designate a surrogate decision-maker.

References

Advancing Effective Communication, Cultural Competence, and Patient- and Family-Centered Care. 2010. <http://www.jointcommission.org/assets/1/6/roadmapforhospitalsfinalversion727.pdf>

Consumer Bill of Rights and Responsibilities. Report to the President of the United States, Prepared by Advisory Commission on Consumer Protection and Quality in the Health Care Industry. November 1997. Accessed 2016. <http://www.csun.edu/~hfdss003/atacp/supplements/fph9.html>

Families USA. The Affordable Care Act: Patients' Bill of Rights and Other Protections. January 19, 2019. <http://familiesusa.org/product/affordable-care-act-patients-bill-rights-and-other-protections>

HHS.gov health information Privacy. Your Rights Under HIPAA. 2016. <https://www.hhs.gov/hipaa/for-individuals/guidance-materials-for-consumers/index.html>

Patient’s Bill of Rights What is the Patient’s Bill of Rights? Last Revised: 01/06/2014. <http://www.cancer.org/treatment/findingandpayingfortreatment/understandingfinancialandlegalmatters/patients-bill-of-rights>