

## **Your rights under the existing Irish Patients Charter**

The Patients' Charter was published in 1992 by the Department of Health and is supposed to be displayed in prominent positions in hospitals. Regrettably this is not always the case.

It is reproduced below so that you may be aware of your rights when you attend a hospital, either as an in- or an outpatient.

### **1 ACCESS TO HOSPITAL SERVICES**

You have the right in a medical emergency to be admitted immediately to hospital. In cases other than in an emergency, you will be placed on a waiting list if you cannot be admitted immediately. If you are on a waiting list and are concerned about your condition, you should consult your family doctor who can request that your condition be reviewed by your hospital consultant. When a recommended medical procedure is not available at the hospital, you will have the right to ask your consultant to transfer you to where the procedure is available. You have the right should your admission be cancelled by the hospital to be given adequate and timely notice of such cancellation. However, in exceptional cases arising from emergency pressures or staff illnesses, your operation may have to be cancelled at very short notice. In these circumstances, the hospital will make every effort to contact you in advance. You have the right, in the event of a cancellation, to be given a new appointment for an early date and to be treated on a priority basis.

### **2 OUT- PATIENT SERVICES**

You have the right when your family doctor refers you to hospital for an out-patient appointment to: receive confirmation within a reasonable time of the date of your first appointment; to be given an individual appointment time to be seen by a consultant or senior doctor on your first appointment;

If you feel your condition has disapproved, you should consult your family doctor who can, if necessary, take up the matter with the hospital.

You have the right, should your appointment at an outpatient department be cancelled by the hospital, to receive adequate and timely notice of such cancellation and to be given a new appointment on a priority basis.

### **3 COURTESY**

You have the right to be treated in a courteous manner at all times by every member of the hospital staff.

### **4 VISITING ARRANGEMENTS**

You have the right to receive visits from your relatives and friends, including children. The hospital must ensure that visiting arrangements are flexible, consistent with the nature of your illness and the needs of other patients.

### **5 RELIGIOUS BELIEFS**

You have the right to be treated with respect for your religious and philosophical beliefs.

### **6 PRIVACY**

You have the right to have your privacy respected, especially when the nature of your clinical condition is being discussed with you or your relatives by hospital staff.

## **7 INFORMATION CONCERNING YOUR TREATMENT**

You have the right to be informed of the name of your consultant under whose care you are being placed, and, if you are to be referred to another consultant, you have the right to be informed of the reasons for such referral.

You have the right to be informed of the nature of your illness or condition in language which you can fully understand and to be informed concerning: the results of tests and X-rays the purpose, method, likely duration and expected benefit of the proposed treatments; alternate form of treatment; possible pain or discomfort, risks and side effects of the proposed treatment.

## **8 CONSENT TO TREATMENT**

Generally, treatment should only be given to a patient with his or her informed consent or, in the case of a child, the consent of a parent or guardian. You may request the presence of a person or persons of your choosing during the procedure for granting consent. The consent form you are asked to sign should clearly state the nature of the procedure to be undertaken.

Only in cases where a patient lacks the capacity to give or withhold consent, and where a qualified medical doctor determines that treatment is urgently necessary in order to prevent immediate or imminent harm, may treatment be given without informed consent.

## **9 CONFIDENTIALITY**

You have the right to total confidentiality in respect of your medical records.

You have the right to request the hospital to make details of your relevant records available to you. Hospitals will normally meet your wishes in this regard, except where it would be considered that this would cause serious harm to your physical or mental health. In such circumstances, the information may be communicated through a health professional, normally your family doctor.

## **10 TEACHING AND RESEARCH**

You have the right to refuse to participate in the teaching of medical students by your consultant. Your permission must be sought before a consultation can involve you in the teaching of students. However, your co-operation would be important in view of the need to ensure that future doctors obtain the best possible training. You have the right to refuse to take part in clinical trials or research concerning the use of new drugs or medical devices. Clinical trials and experimental treatment should never be carried out without your informed consent being obtained by the hospital or medical personnel.

## **12 COMPLAINTS**

You have the right to complain about any aspect of hospital service, to have the complaint investigated, and to be informed of the outcome as soon as possible. Your hospital has detailed complaint procedures in place and should publicise them prominently throughout the hospital, together with the name and telephone number of the hospital's designated complaints officer. You have the right, where your complaint is not resolved to your satisfaction, to have the matter referred to the hospital's complaints committee. The hospital's complaints procedures are without prejudice to your statutory rights to complain to the Ombudsman, the Medical Council, or An Bord Altranais (The Nursing Board).

In the application in this Charter, special consideration should always be given to the particular needs of children, expectant mothers, the elderly and persons with a mental or physical disability