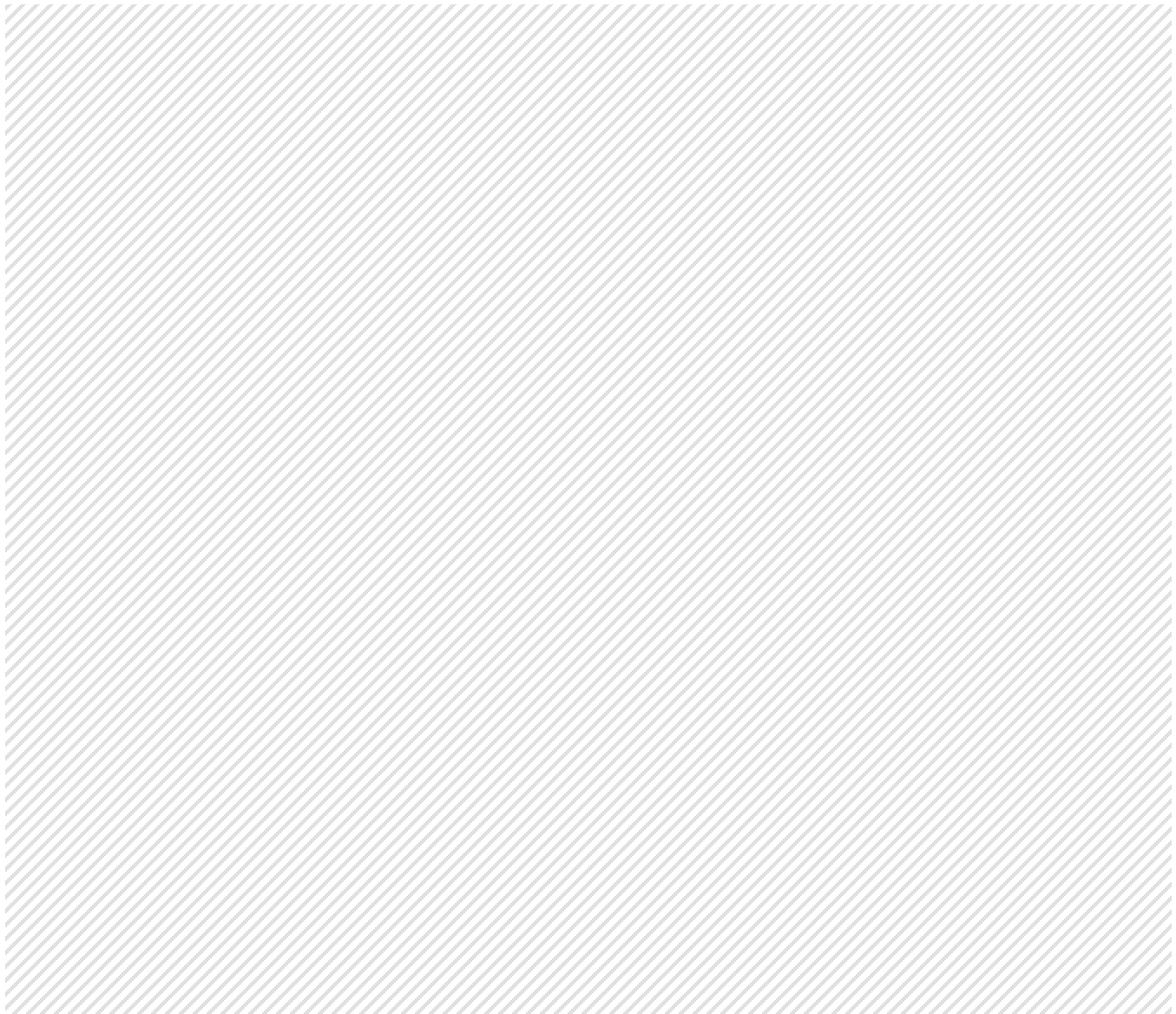


Patient's Rights

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.

Consumer Responsibilities

In addition to outlining consumer rights for healthcare, the Advisory Commission on Consumer Protection and Quality in the Health Care Industry also outlines guidelines for consumer responsibilities regarding their own healthcare. The responsibilities outlined are ways that the consumer can work together with the health care provider to achieve the best quality health outcome.

- Assume responsibility for living a healthy lifestyle. Exercising regularly and eat a healthy diet.
- Be directly involved in decisions about your healthcare.
- Work with health care providers to create and execute treatments.
- Openly give important information and discuss wants and needs.
- Use the health plans appropriate complaint and appeal process to deal with problems that come up.
- Avoid spreading the disease to the best of your ability.
- Recognize and understand the reality of human error, medical limitations, and healthcare risks.
- Understand that healthcare providers are obligated to provide care in an efficient, fair, and impartial manner to all.
- Educate yourself on the coverage your healthcare plan offers and all your healthcare plan options.
- Always show respect to everyone including other patients and the healthcare workers.
- Try to pay all financial obligations with sincere intention.
- Follow all physician and health plan administrative and operational procedures.
- Report all illegal activity including abuse and fraud to the appropriate authorities.

Patient Rights and Health Insurance: Affordable Care Act

In 2010, a new Patient's Bill of Rights was created along with the Affordable Care Act.

This bill of rights was designed to give new patient protections in dealing with insurance companies, which include:

- Removing annual and lifetime limits of coverage
- Being able to obtain health insurance in spite of pre-existing medical conditions
- Having an easy-to-understand summary of benefits and coverage
- Being able to choose a physician
- Keeping young adults on their parent's health insurance policy until age 26, if they meet certain requirements
- Allowing access to certain preventive screenings without paying extra fees or co-pays
- Being informed on how to appeal a decision made by the insurance company (e.g. denying coverage)
- Requiring an insurance company to give 30 days' notice before they cancel an insurance plan
- Requiring premium increases over 10% to be clearly justified

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.

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