

# Patient Rights and Responsibilities

## I. PURPOSE:

The basic rights of human beings to independence of expression, decision and action, and concern for personal dignity in human relationships are always of great importance. During sickness, however, their presence or absence becomes a vital deciding factor in survival and recovery. Thus it becomes a prime responsibility of Southern Surgical Hospital to endeavor to assure that these rights are preserved for its patients. For the neonate, child, adolescent, and elderly who are unable to express their needs, the rights and responsibilities of their parents and/or guardians are synonymous to all other patients. The needs expressed by these individuals will be managed appropriate to facilitate their return to health.

In providing care, the hospital has the right to expect behavior on the part of the patients and their relatives and friends which, considering the nature of the illness, is reasonable and responsible. **All patients are given a copy of the Patient Handbook and Visitors Guide which contains a copy of the Patient Rights and Responsibilities upon admission.** This statement does not presume to be all-inclusive. It is intended to convey concern about the relationship between the hospital and its patients and to emphasize the need for the observance of the rights and responsibilities of patients.

## II. POLICY:

Southern Surgical Hospital and Medical Staff have adopted the following list of patient rights. This list shall include, but not be limited to the following:

- A. The patient or his/her designated representative, shall whenever possible, be informed of the patient's rights and responsibilities in advance of furnishing or discontinuing patient care.
- B. The patient has the right to receive treatment and medical services without discrimination based on race, age, religion, national origin, sex, sexual preference, handicap, diagnosis, ability to pay or source of payment.
- C. The patient has the right to participate in the development and implementation of his/her plan of care.
- D. The patient has the right to make informed decisions regarding his or her care.
- E. The patient has the right to be informed of his/her health status, being involved in care planning and treatment, and being able to request or refuse treatment.
- F. The patient has the right to considerate and respectful care.
- G. 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:
  1. The identity of the physician who is primarily responsible for his or her care. He/she has the right to know the identity of other physicians, nurses and others involved in their care, as well as when those involved are students, residents, or other trainees. This may be accomplished via introduction or nametag. This includes other authorized healthcare facilities and/or educational institutions to participate in the patient's treatment.
  2. The nature and extent of the medical problem.
  3. The planned course of treatment.
  4. The prognosis, the chances of successful outcomes and the possible results of non-treatment.
  5. Alternatives to the treatment and procedure.
  6. Adequate instruction in self-care in the interim between visits to the hospital or to the physician.
  7. Alternatives for care or medical treatment where medically significant.
  8. Information necessary to give informed consent prior to the start of any procedure and/or treatment and the medical significance.
  9. The probable duration of the hospital stay and recuperative concerns.
  10. The immediate and long term financial implications of treatment choices, insofar as they are known.
  11. Right to participate in ethical issues that may arise in the provision of his/her care.
  12. Effective pain management.
  13. Receive information regarding organ and tissue procurement.
  14. The administration and removal of resuscitative services.
  15. The administration and removal of life sustaining treatment.
  16. Care at the cessation of life.
- H. The policies on patient rights and responsibilities shall also provide that patients who receive treatment for mental illness or developmental disability, in addition to the rights listed herein, have rights provided in Louisiana Mental Health Law.
- I. The patient has the right to expect that communication between the patient and the physician or the hospital should accommodate, where possible, the ethnic, cultural, spiritual and language variations of the patient. Included in this right is access to hospital or community resources, which will fulfill his/her spiritual, cultural, and psychosocial needs.
- J. The patient has the right to have an advanced directive (such as a living will, health care proxy, or durable mandate/power of attorney for healthcare) concerning treatment or have 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.
- K. The patient has the right to every consideration of privacy with respect and recognition of their individuality. Care discussion, consultation, examination, and treatment shall be conducted so as to protect each patient's privacy.
- L. The patient has the right to expect reasonable personal safety of self and property during his/her hospital stay.
- M. 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 confidentiality of the patient's disclosures, within the law, shall be accorded the patient. The right of confidentiality shall include the right of the patient to decide to participate in clinical training programs and/or the gathering of data for research purposes.

N. The patient has the right to choose to participate in a research project either experimental or investigational; if the patient agrees to participate he/she will receive a full explanation of procedures to be followed during the research project. The patient will be informed, when applicable, of expected benefits, potential discomforts and risks, and alternative services. If the patient chooses not to take part, he/she will receive the most effective care the hospital otherwise provides. The level of this participation shall not be related to the nature of the source of payment for his or her care except provided by law or third party payer contracts.

O. The patient has the right to, and when appropriate their families, be informed about outcomes of care including unanticipated outcomes.

P. The patient has the right to exclude any family member from participating in his/her health care decisions.

Q. The patient has the right to access protective services and to receive a written list of names, address and phone numbers of pertinent local and state advocacy groups.

R. 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 within a reasonable time frame. These records shall remain confidential.

S. The patient has the right to expect that, within its capacity and policies, the hospital will make reasonable response to the request of the patient for appropriate and medically indicated care and services. The hospital will provide evaluation, service and/or referral as indicated by the urgency of the case. When medically appropriate and legally permissible, or when a patient has requested, 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.

T. 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.

U. 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.

V. Communicate with people outside the hospital including receiving visitors, send and receive mail and the use of the telephone. Any restrictions are explained to the patient and family, and are determined with their participation. When the hospital restricts a patient's visitors, mail, telephone calls, or other forms of communication, the restrictions are evaluated for their therapeutic effectiveness.

W. 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, grievance, 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.

X. The patient has the right to receive upon admission a copy of the Patient Handbook and has the right to receive, upon request, a copy of the Southern Surgical Hospital policy fully detailing all patient rights described above.

Y. The right to receive, as soon as possible, the services of a translator or interpreter to facilitate communication between the patient and the hospital's health care personnel.

## **Patient Responsibilities**

Provision of Information: The patient is responsible for:

1. Providing information about his or her health, including past illnesses, hospital stays, and use of medication.
2. Asking questions when he/she does not understand information or instruction.
3. Telling the physician if he/she believes that they cannot follow through with treatment.

Refusal of Treatment: The patient is responsible for his/her actions if he/she refuses treatment or does not follow the practitioner's instructions.

Hospital Charges: The patient is responsible for assuring that the financial obligations for his/her health care are fulfilled as promptly as possible including providing information for insurance and for working with the hospital to arrange payment, when needed.

Hospital Rules and Regulations: The patient is responsible for following hospital rules and regulations affecting patient care and conduct.

Respect and Consideration: The patient and his or her visitors are responsible for being considerate of the rights of other patients and hospital personnel and for assisting in the control of the noise and number of visitors. The patient is responsible for being respectful of the property of other persons and of the hospital.

Personal Well Being: The patient is responsible for recognizing the effect of life-style on his or her personal health.