



## AMERICAN ASSOCIATION of ORIENTAL MEDICINE

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# Patient's Rights

When individuals assume the role of a patient, they become dependent upon others in many ways. Some of the dependency is due to medical and management reasons, others due to attitude. History reveals that on occasion, the people upon whom patients have been dependent were not acting in the best interests of the patient.

The Constitution of the United States guarantees certain rights to every U.S. citizen. The U.S. health care system has advocated an humanistic approach in patient care. The U.S. government has mandated that every patient be guaranteed certain rights. The section that follows lists basic rights that individuals can expect while being classified as patients. The complete text appeared in the *Federal Register*. There are exceptions to these rights, such as when medically contra-indicated, but the exceptions are made for the benefit of the patient. Each student and staff member at a given facility will want to become familiar with the specific ways in which the facility interprets and acts upon these patient's rights. The American Hospital Association also has available "A Patient's Bill of Rights."

The Patient's Bill of Rights states that each patient:

1. Is fully informed, as evidenced by the patient's written acknowledgements, prior to or at the time of admission and during stay, of these rights and of all rules and regulations governing patient conduct and responsibilities;
2. Is fully informed, prior to or at the time of admission and during stay, of services available in the facility, and of related charges including any charges for services not covered under Titles XVIII or XIX of the Social Security Act, or not covered by the facility's basic per diem rate;
3. Is fully informed, by a physician, of his medical condition unless medically contra-indicated (as documented, by a physician, in his medical record), and is afforded the opportunity to participate in the planning of his medical treatment and to refuse to participate in experimental research;
4. Is transferred or discharged only for medical reasons, or for his welfare or that of other patients, or for nonpayment for his stay (except as prohibited by Titles XVIII or XIX of the Social Security Act), and is given reasonable advance notice to ensure orderly transfer or discharge, and such actions are documented in his medical records;
5. Is encouraged and assisted, throughout his period of stay, to exercise his rights as a patient and as a citizen, and to this end may voice grievances and recommend changes in policies and services to facility staff and/or outside representatives of his choice, free from restraint, interference, coercion, discrimination, or reprisals;
6. May manage his personal financial affairs, or is given at least a quarterly accounting of financial transactions made on his behalf, should the facility accept his written delegation of this responsibility to the facility for any period of time in conformance with State Law;
7. Is free from mental and physical abuse, and free from chemical and (except in emergencies) physical restraints except as authorized in writing by a physician for a specified and limited period of time, or when necessary to protect the patient from injury to himself or to others;
8. Is assured confidential treatment of his personal and medical records, and may approve or refuse their release to any individual outside the facility, except in case of his transfer to another health care institution or as required by law or third party payment contract;
9. Is treated with consideration, respect and full recognition of his dignity and individuality, including privacy in treatment and in care for his personal needs;
10. Is not required to perform services for the facility that are not included for therapeutic purposes in his plan of care;
11. May associate and communicate privately with persons of his choice, and send and receive his personal mail unopened, unless medical contra-indicated (as documented by his physician in his medical record);
12. May meet with, and participate in activities of social, religious, and community groups at his discretion, unless medical contra-indicated (as documented by his physician in his medical record);
13. May retain and use his personal clothing and possessions as space permits, unless to do so would infringe upon the rights of other patients, and unless medical contra-indicated (as documented by his physician in his medical record);
14. If married, is assured privacy for visits by his/her spouse. If both are in-patients in the facility, they are permitted to share a room, unless medically contra-indicated (as documented by the physician in the medical record).