

PATIENT'S RIGHTS & RESPONSIBILITIES

INTRODUCTION

As individuals, most of us believe that we are entitled to certain rights based on Federal and State Laws. Most Americans would agree that one of the greatest accomplishments of the U.S. Constitution is the Bill of Rights, which lists sets of rights and liberties considered essential to a people or group of people as free citizens of a democratic country. However, when we access healthcare, many of us are uncertain of what rights we have and even fewer of us consider that along with patient's rights, we have responsibilities too.

Providing excellent health care services is built on a trusting relationship between patients, their families, and health care providers. However, today's health care environment makes effective communication between patients, families, and caregivers harder and harder to achieve. Medical care is more technologically complex, resources are constrained, and there is a growing need for patients and families to have more information about, and involvement in, care decisions. The problem comes when patients are accessing Community and Migrant Health Centers, and are unaware of what rights and responsibilities they have as patients. At issue, besides basic rights of care and privacy, is the education of patients concerning what to expect of their health care facility and its providers. Patients are often aware of their rights regarding patient privacy in regards to medical records or doctor/patient confidentiality, as determined through the federal [HIPAA Act](#). However, many patients are not aware of what other rights they have when they come under the care of a Health Center. In response, individual facilities (like hospitals or health centers) or physician practices have often created their own list of patients' rights and responsibilities.

Patient rights encompass legal and ethical issues in the provider-patient relationship, including a person's right to privacy, the right to quality medical care without prejudice, the right to make informed decisions about care and treatment options, and the right to refuse treatment. Many issues comprise the rights of patients in the medical system, including a person's ability to sue a health plan provider; access to emergency and specialty care, diagnostic testing, and prescription medication without prejudice; confidentiality and protection of patient medical information; and continuity of care.

The patient is also expected to meet a fair share of responsibility. This is usually expressed in a list of patient responsibilities that often require the patient to follow a plan of care, providing complete and accurate health information, and communicating comprehension of instructions on procedures and treatment. The patient is further responsible for consequences of refusal of treatment, of not following the rules and regulations of a health center, and of not being considerate of others' rights. The patient is also often responsible for providing assurance that financial obligations of care are met.

POINTS TO REMEMBER

When establishing your patients' rights and responsibilities policy and procedure, please remember that:

- The list of patients' rights and responsibilities should be linguistically appropriate. Remember that more than three-fourths of all farmworkers have either limited English proficiency or are monolingual in Spanish. A small number speak Indigenous languages.
- The list of patients' rights and responsibilities should be written at an appropriate literacy level. Keep in mind that the average literacy level among the farmworker population is the 6th grade.
- Try to keep the patients' rights and responsibilities list positive and encouraging. Items on the list should provide information that will support positive patient-provider communication and insure a positive health experience.
- The key elements of any list of patients' rights and responsibilities should include offering fair treatment, and granting patients some autonomy over medical decisions.