

SJMHS Leadership Policy

Patients – Rights and Responsibilities

SJMHS

Patient Rights

Policy Number: 220

Effective Date: 01/13/82

Revised Date: 09/28/98, 09/28/01, 09/01/09, 03/01/11, 06/07/12

Reviewed Date: 05/07

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President and CEO

Policy

It is the policy of Saint Joseph Mercy Health System (SJMHHS) to preserve the rights of patients and to facilitate the staff's awareness of these rights. This policy is not intended to be all-inclusive; it addresses those rights and responsibilities contained in Public Act #368, Section 20201 and 20202, 1978. It also encompasses the recommendations of American Hospital Association, Catholic Hospital Association and The Joint Commission.

The rights and responsibilities set forth in this policy are applicable to the medical staff, employees and the patients of SJMHHS. Pursuant to Section 20203 of Public Act #368, no civil or criminal liability shall arise from failure to comply with this policy.

Narrative

The Values of SJMHHS support the need to foster the dignity and preserve the rights of each patient. We recognize that no catalogue of rights can guarantee the kind of treatment a patient has the right to receive. Therefore, in addition to the rights contained in this policy, we will continue to carry out all aspects of patient care with primary concern for the value and dignity of the patient.

Following is a list of patients' rights and responsibilities:

Procedure

I. Patient Rights

A. Appropriate and compassionate care:

Patients have the right to appropriate and compassionate care at all times and under all circumstances.

Patients will not be denied appropriate care on the basis of age, race, religion, color, national origin, ethnicity, religion, sex, sexual orientation, gender identity or expression, , physical or mental disability, marital status, socioeconomic status, or source of payment. Patients have the right to receive care that takes into consideration the psychosocial, spiritual and cultural values that influence the way the patient views their illness.

B. Staff Identification:

Patients have the right to know the identity and professional status of individuals providing care to them. All staff members are required to wear photo ID badges and introduce themselves and explain their role in patient care.

C. Information regarding medical condition:

Patients have the right to receive information about their medical diagnosis, proposed course of treatment, procedures, and prospects for recovery unless this is medically contraindicated. This information should be communicated in terms the patient can reasonably be expected to understand. If the physician withholds this

information, he/she must record the reason in the patient's medical record. When it is not medically advisable to give such information to the patient, the information should be available to a legally authorized individual.

D. Safety:

Patients have the right to expect reasonable safety in the performance of procedures and safety in the environment.

E. Advance Directives:

Patients have the right to formulate advance directives and have their care providers comply with these directives in accordance with applicable law.

F. Refusal of treatment:

Patients have the right to refuse treatment to the extent provided by law and to be informed of the medical consequences of that refusal. Patients who refuse care or treatment are responsible for the results of that decision.

When refusal of treatment prevents the provision of appropriate care in accordance with ethical and professional standards, the relationship with the patient may be terminated upon reasonable notice.

G. Research, educational or experimental procedures:

Patients have the right to information concerning research or experimental procedures proposed as a part of their care and have the right to refuse to participate in any such activity and refusal to participate will not jeopardize or affect care in any way.

H. Request for Service:

Patients have the right to expect that within its capacity, the hospital will respond to a patient's request for service. Evaluation, service and/or referrals will be completed as indicated by the urgency of the case. Patients have the right to consult with a specialist or change attending doctor at their own expense.

I. Freedom from restraints:

Patients have the right to be free from restraints except when necessary to protect the patient from injury to self or others. The least restrictive restraint will be used whenever possible. Restraints must be administered in accordance with SJMHS Patient Care Policy No. 240.

J. Access to the medical record:

Patients have the right to read their medical record while on a patient care unit in accordance with SJMHS Leadership Policy No. 310. Patients also have the right to read and/or obtain copies of their completed medical record upon request in accordance with Medical Staff Policy. A fee is charged for copies of the medical record.

K. Confidentiality of records:

Patients have the right to expect that communication and records regarding their care will be treated confidentially. Records will not be released except as authorized by patients or their legal representative, as required for transfer to another health care facility, or as required by law, or as required by third party payment contracts.

L. Privacy - personal and informational:

Patients have the right to privacy in treatment and in caring for their personal needs. This includes the right to be interviewed and examined in surroundings designed to assure reasonable privacy.

M. Presenting a Complaint:

Patients and their family members or guardians have the right to present complaints to SJMHS about any aspect of the patient's care at SJMHS. Patients and their families must be informed of their right to present complaints and how to do so. This information is included in the brochure "Patient Guide" which is available in all patient care areas. Patient Comment Cards are available throughout the hospital for patients' and family members' use in recording a complaint.

All complaints must be analyzed and addressed by the appropriate SJMHS work area/department and corrective action must be taken when indicated. The patient or family member making a complaint must receive a timely response that substantively addresses the complaint.

While every SJMHS employee has the responsibility to resolve patient complaints when appropriate, unresolved issues must be referred to the employee's manager or another area within SJMHS where the complaint may be addressed more appropriately.

If the patient or family member is not satisfied with the response, he/she may request to speak with a SJMHS management staff member or the Patient Relations Department. In the event of an immediate need, the patient or family member may request the patient's nurse or other staff member to page applicable management or contact the patient's doctor.

N. Continuity of care:

Patients have the right to expect reasonable continuity of care, including discharge planning and discharge instructions. Patients are entitled to information concerning continuing health needs, alternatives for meeting those needs and be involved in discharge planning. Patients will receive an explanation as to why a transfer to another facility is necessary and any other choices available. Patients are assisted in making arrangements for transfer.

O. Information regarding the hospital bill:

Patients have the right to receive an explanation of their hospital bill regardless of the source of payment. Patients also have the right to receive, upon request, information on financial assistance available through the hospital.

P. Consent:

Patients have the right to reasonably informed participation in decisions involving their health care. Patients should not be subjected to any procedure without their voluntary, competent, and understanding consent or that of their legally authorized representative. Where medically significant alternatives for care or treatment exist, the patient shall be so informed. Patients have the right to know who is responsible for authorizing and performing the procedures or treatment.

Q. Hospital Rules and Regulations:

Patients should be informed of the hospital rules and regulations applicable to their conduct as a patient. Patients are entitled to information about the hospital's mechanism for the initiation, review, and resolution of patient complaints.

R. Patients have the right to appropriate assessment and management of pain.

S. Patients have the right to obtain information as to any relationship of the hospital to other health care and educational institutions, in so far as patient care is concerned. Patients also have the right to obtain information as to the existence of any professional relationships among individuals who are responsible for their care.

T. Patients and their families have the right to access the Medical Ethics Committee regarding ethical issues as they affect the quality of care at the hospital. Patients have the right to be involved in ethical questions that arise during the course of care. Discussions/decisions about care at the end of life will be handled with respect and sensitivity.

U. Patients have the right to access protective services.

V. Patients have the right to exercise rights as a patient and as a citizen. Patients will be free from restraint, interference, coercion, discrimination or reprisal, present grievances or recommended changes in policies and services, on behalf hospital staff, to government officials or to another person of your choice within or outside the hospital. Patients are entitled to information about hospital policies and procedures for initiation, review and resolution of patient complaints.

W. Patients have the right to associate with and have private conversations with their physician, attorney or any other persons of their choice. Patients have the right to receive visitors of their choice while in the hospital. The hospital will not restrict who may visit unless the visitor poses a risk to the patient or others of serious infection or other harm. Patients have the right to receive personal mail.

X. Other rights:

Patients have the right to take part in religious and/or social activities while in the hospital unless these activities are medically contraindicated.

Patients will be notified when they are no longer eligible for insurance or when payment of their bill by others will end. Whenever possible, advance notice will be given.

Patients, and when appropriate, their families, will be informed about the outcomes of care, including unanticipated outcomes.

Patients have the right to have a family member or representative and their own personal physician notified of admission to the hospital.

Patients have the right to request brand name versus generic medications.

II. Patient Responsibilities

Healthcare is a cooperative effort among patients, physicians, and other hospital staff. In addition to rights, it is expected that patients will assume these responsibilities to the best of their abilities.

A. Following the hospital's rules and regulations as they are explained or as described in printed material.

B. Providing, to the best of their knowledge, a complete and accurate medical history when requested to do so.

C. Informing their physician or nurse if they do not understand their treatment plan or what they are expected to do.

D. Following the recommended treatment plan presented by the physician (or designate). If patient or family refuses treatment or fails to follow the doctors' instructions, they are responsible for the outcomes.

E. Informing their physician or nurse if there is an unexpected change in their condition or if problems arise in treatment.

F. Paying their hospital bill or for informing the hospital if they cannot pay the bill so that other arrangements can be made. Patients are responsible for being familiar with the nature and extent of their insurance coverage including referral and authorization requirements.

G. Being considerate of the other patients and of hospital staff and property.

H. Patients and their families are responsible for reporting perceived risks in their care and unexpected changes in the patient's condition. Patients and families also have the right to education about their role in helping to facilitate the safe delivery of care.

III. Policy Distribution

A. All employees and members of the medical staff will have access to and be required to follow the Policy on Patient Right and Responsibilities.

B. A "Patient Guide" that includes a statement of rights and responsibilities of patients will be made available to all patients on nursing units.

Responsibility

IM Group

References

SJMHS Patient Care Policy No. 240
SJMHS Leadership Policy No. 310
Michigan Department of Public Health Code
The Joint Commission Patient Handbook