

Patient's Right

I. RIGHT TO HEALTH CARE AND HUMANE TREATMENT

- Every individual shall have access to competent health care and treatment regardless of age, sex, ethnic origin, religion, political affiliation, economic status or social class.
- Health care services shall be available on the basis of clinical need regardless of the ability to pay and it shall be the responsibility of the Government to ensure that every person has access to essential health services.
- Every patient shall be treated with care, consideration, respect and dignity without discrimination of any kind.
- All drugs dispensed shall be of acceptable standards in terms of quality, efficacy and safety as determined by the Drug Control Authority of Malaysia.
- Every individual shall have the right to prompt emergency first aid treatment from the nearest government or private medical and health facility.
- Patients shall be interviewed and examined in surroundings designed to ensure reasonable privacy and shall have the right to be chaperoned during any physical examination or treatment, except in cases of emergency where such conditions may not be possible.
- A child admitted to hospital shall, whenever possible, have the right to the company of a parent or guardian.

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II. RIGHT TO CHOICE OF CARE

A patient have the right to a second opinion at any time.

A patient shall have the right to know the investigations conducted, the results of these investigations and a copy of the medical reports and have them explained. The patient shall also have the right to authorise in writing another health professional to obtain a copy of the same and inform him or her of what they contain.

A patient shall, whenever possible, have the right to be treated at a hospital of choice and to be referred to a consultant of choice.

A patient who has received adequate information about his or her condition during consultation shall have the right to accept or to refuse treatment.

If a patient's health professional refuses to allow another health professional to be called in, or breaches any other provisions of this charter, the patient shall have the right to discharge that health professional and seek the services of another.

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III. RIGHT TO ACCEPTABLE SAFETY

Before any treatment or investigation, a patient shall have the right to a clear, concise explanation in lay terms of the proposed procedure and of any available alternative procedure. Where applicable the

explanation shall incorporate information on significant risks, side-effects, or after-effects, problems relating to recuperation, likelihood of success, risks thereof, and whether the proposed procedure is to be administered by or in the presence of students. A patient may refuse any treatment or investigation.

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IV. RIGHT TO ADEQUATE INFORMATION AND CONSENT

- A Patient shall have the right to know the identity and professional status of the individuals providing service to the patient and to know which health professional is primarily responsible for the patient's care.
- A patient shall have the right to information regarding all aspects of medication, including :
 - The right to adequate and understandable information on prescribed and purchased medicines.
 - The right to the most effective and safe medicines. Safety must be ensured by the manufacturers and by legislative control.
 - The right to convenient access to medicines.
 - The right to choose among competitive products.
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- All medicines shall be labelled, and shall include the international non-proprietary name (INN) of the medicine, the dosage and how often the medicine has to be taken. In addition, the patient shall be informed about medication, including the following :-
 - The purpose of the medicine
 - The possible side effects
 - The avoidance of any food, alcoholic beverages or other drugs
 - The duration necessary for any medication prescribed
 - The measures to be taken if a dose is forgotten or if an overdose is taken.
- A patient shall have the right to an itemized account after any treatment or consultation and to have this explained.
- If a patient is in hospital or any health care facility, the patient shall, unless unconscious be consulted about any decision to discharge or transfer the patient to another facility.
- Where it is appropriate to a patient's condition or treatment, the patient shall be given advice about self-care, drugs administration, special precautions, which may be necessary or desirable, and the existence of special associations, facilities, aids or appliances which may be of assistance.
- A patient's consent shall be required before any procedure is carried out and in the case of a minor the consent shall first be obtained from the parent or guardian. If a patient is unconscious and delay would be dangerous, a doctor is entitled to carry out any necessary treatment or operation.
- A patient's consent shall be required for the inclusion of a patient in any research. The patient shall be adequately informed of the aims, methods, anticipated benefits and potential hazards of the study and the discomfort it may entail. The patient shall be informed that he or she is at liberty to abstain from participation in the study and that he or she is free to withdraw his or her consent to participation at any time. To ensure that the informed consent is not obtained under duress or from a patient in a dependent

relationship to the health professional, the informed consent shall be obtained by a health professional who is not engaged in the investigation and who is completely independent of the official relationship between the patient and the health professional. In the case of a child the informed consent shall be obtained from the parent or guardian.

- A patient shall have the right to have the details of the patient's condition, treatment, prognosis and all communication and other records relating to the patient's care to be treated as confidential, unless :
- authorised in writing by the patient
- it is undesirable on medical grounds to seek a patient's consent but it is in the patient's own interest that confidentiality should be broken.
- the information is required by due legal process.

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V. RIGHT TO REDRESS OF GRIEVANCES

- A patient shall have access to appropriate grievance redressal mechanisms.
- A patient shall have the right to seek legal advice as regards any alleged malpractice by the hospital, the hospital staff or by a doctor or other health professional.
- A patient shall have the right to recover damages for injury or illness incurred or aggravated as a result of the failure of the health professional to exercise the duty and standard of care required of him or her while treating the patient.

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VI. RIGHT TO PARTICIPATION AND REPRESENTATION

- A patient shall have the right to participate in decision-making affecting the patient's health :
 - with the health professionals and personnel involved in direct healthcare:
 - through consumer and community representation in planning and evaluating the system of health services, the types and qualities of service and the conditions under which health services are or were delivered.

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VII. RIGHT TO HEALTH EDUCATION

- Every individual shall have the right to seek and obtain advice with regards to promotive, preventive and curative medicine, and rehabilitation to maintain or regain good health and a healthy lifestyle.

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VII. RIGHT TO A HEALTHY ENVIRONMENT

- Every individual shall have the right to an environment that is conducive to good health. This includes and extends to a healthy and safe

work environment, a healthy and safe home environment, and a healthy and safe environment at the place where he gets his medical care and treatment.

Patient's Responsibilities

1. The patient shall ensure that he or she knows and understands what a patient's rights are and shall exercise those rights responsibly and reasonably.
2. The patient shall keep appointments and shall inform the health professional if unable to do so.
3. The patient shall provide accurate and complete information which the health professional requires about his or her health and ability to pay for health services.
4. The patient shall inform the health professional if he or she is currently consulting with or under the care of another health professional or provider of traditional health care in connection with the same complaint or any other complaint.
5. The patient shall ensure that he or she understands the purpose and cost of any proposed investigation or treatment before deciding to accept it. The patient shall insist upon explanations until adequately informed and consult with all relevant persons before reaching the decision.
6. The patient shall accept all the consequences of the patient's own informed decisions.
7. The patient shall establish a stable relationship with and follow the treatment determined by the health professional primarily responsible for the patient's care.
8. The patient shall so conduct himself or herself so as not to interfere with the well being or rights of other patients or providers of health care.
9. Every individual has a responsibility to maintain his or her own health and that of society by refraining from indulging in :
 - unhealthy food consumption;
 - addiction forming substances such as dadah, tobacco and alcohol;
 - lifestyles that have an adverse impact on health such as sexual promiscuity, reckless activities, and physical inactivity; and,
 - contamination of the environment.
10. Every individual has a responsibility to accept all preventive measures sanctioned by law.
11. A patient is encouraged to have a family doctor, dentist and pharmacist to ensure that there is continuing health care for the patient and the patient's family.
12. Every individual has the responsibility to ensure that resources are spent wisely on on social and health services.