

# Charter of Doctor and Patient Rights

A "patient's rights" charter was adopted by the National Human Rights Commission in August, 2018. This charter currently features on the website of the Ministry of Health and Family Welfare and is in the process of being finalised. While we welcome this charter whole-heartedly, as doctors, we believe that health is a two-way street. Doctors & patients are equal stake-holders when health is concerned. In a progressive society, rights and responsibilities of all stake-holders need to be defined clearly. This maintains an equilibrium and ensures smooth and effective functioning. The Doctor-patient relationship is built on mutual trust and protecting the rights of only one stake-holder and ignoring the other will eventually lead to discord and disharmony. Doctors are human too and have rights just like all other human beings. In fact, patients and doctors have rights and responsibilities that complement each other.

Given this situation, a **charter of "patient and doctor rights"** has been incorporated in the book- **Dear People, With Love and Care, Your Doctors**. This "charter" is a better elucidation of the "patient rights charter" and will help to set the perimeter of this mutual relationship. Every right of patients is the responsibility of the doctors. Similarly, every right of doctors, in turn is the responsibility of the patients.

## Charter

	<b>RIGHTS OF PATIENTS</b>	<b>RIGHTS OF DOCTORS</b>
<b>Empathy</b>	<ul style="list-style-type: none"> <li>To receive empathy from doctors &amp; healthcare professionals.</li> </ul>	<ul style="list-style-type: none"> <li>To be treated with respect by patients &amp; their families.</li> </ul>
<b>Trust</b>	<ul style="list-style-type: none"> <li>To be trusted by their doctors</li> <li>To be treated without any prejudice.</li> </ul>	<ul style="list-style-type: none"> <li>To be informed about all medical details &amp; any other information in entirety.</li> </ul>
<b>Information &amp; communication</b>	<ul style="list-style-type: none"> <li>To receive complete information about the nature &amp; cause of illness, diagnosis, proposed investigations, management &amp; complications.</li> </ul>	<ul style="list-style-type: none"> <li>To be informed about all the information pertaining to the patient's symptoms, past illnesses, medications, allergies &amp; every fact relevant for proper diagnosis &amp; management.</li> </ul>
<b>Cost of treatment</b>	<ul style="list-style-type: none"> <li>To be informed regarding the expected cost of treatment &amp; to receive an itemised bill.</li> <li>To be informed duly about any additional costs that may be incurred due to any change in physical condition.</li> <li>To change the doctor or the hospital if the cost of treatment is not agreeable.</li> </ul>	<ul style="list-style-type: none"> <li>To be paid fairly &amp; duly for their expertise &amp; service.</li> <li>To be duly informed by the patient and their family if they are unable to afford the cost of treatment at the time of commencement of treatment.</li> </ul>

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<b>Identity &amp; professional status</b>	<ul style="list-style-type: none"> <li>• To know the identity &amp; professional status of the care-providers.</li> <li>• To know which doctor is primarily responsible for their care.</li> </ul>	<ul style="list-style-type: none"> <li>• To know the complete identity of their patient in the form of correct name, age, address &amp; any other relevant information with due documentation.</li> </ul>
<b>Records &amp; reports</b>	<ul style="list-style-type: none"> <li>• To receive copies of case papers, indoor patient records, investigation reports, discharge summary, death summary etc. within 72 hours of discharge from the hospital &amp; after paying appropriate fees.</li> </ul>	<ul style="list-style-type: none"> <li>• To retain copies of all past &amp; present medical records, reports &amp; any other relevant documents of the patient for their reference &amp; further treatment.</li> </ul>
<b>Emergency medical care</b>	<ul style="list-style-type: none"> <li>• To basic emergency medical care in both government &amp; private medical sector irrespective of their paying capacity.</li> <li>• To be informed about the limitations of the available services after emergency care is provided.</li> </ul>	<ul style="list-style-type: none"> <li>• To transfer the patient to another centre based on the patient's condition &amp; the available medical infrastructure after basic emergency care has been provided.</li> </ul>
<b>Informed consent</b>	<ul style="list-style-type: none"> <li>• To provide informed consent only after understanding the limitations of the treatment in a language they fully comprehend.</li> </ul>	<ul style="list-style-type: none"> <li>• To not proceed with test/treatment if the informed consent is not provided by the patient.</li> </ul>
<b>Confidentiality</b>	<ul style="list-style-type: none"> <li>• To privacy &amp; confidentiality about their illness &amp; treatment.</li> <li>• To safe custody of all data pertaining to their illness</li> </ul>	<ul style="list-style-type: none"> <li>• To have an attendant inside the examination room/OPD/IPD while attending to any patient of any gender.</li> <li>• To follow due procedure in case patient confidentiality is to be weighed against a public health consideration.</li> </ul>
<b>Second opinion</b>	<ul style="list-style-type: none"> <li>• To receive second opinion from an appropriately qualified &amp; competent medical practitioner of their choice.</li> </ul>	<ul style="list-style-type: none"> <li>• To be duly informed when patients are seeking a second opinion.</li> </ul>
<b>Non-discrimination</b>	<ul style="list-style-type: none"> <li>• To receive treatment without any discrimination based on their illness including HIV status or other such health condition, religion, caste, ethnicity, gender, age, sexual orientation, linguistic, geographical, social origins and others.</li> </ul>	<ul style="list-style-type: none"> <li>• To know about any illness that may have a bearing on public health consideration</li> <li>• To know about pre-existing infectious diseases.</li> </ul>

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<b>Safety &amp; quality care</b>	<ul style="list-style-type: none"> <li>To safety &amp; security in the hospital premises &amp; to receive quality health care as per the currently accepted standards, norms &amp; guidelines.</li> </ul>	<ul style="list-style-type: none"> <li>To receive safe &amp; secure working conditions in the hospital premises.</li> <li>To withdraw their services, in case they are harmed intentionally, mentally or physically by patients or their family.</li> <li>To pursue the lawful course in case of verbal or physical assault.</li> </ul>
<b>Deficiency in service</b>	<ul style="list-style-type: none"> <li>To seek redressal in case of alleged medical negligence or damage caused to them due to deficiency in service delivery by a hospital or a doctor.</li> </ul>	<ul style="list-style-type: none"> <li>To be considered “innocent” until proven guilty by a court of law &amp; to present their side in a fair manner without any prejudice.</li> <li>To be protected from media trials.</li> </ul>
<b>Alternative treatment options</b>	<ul style="list-style-type: none"> <li>To choose alternative treatment options.</li> </ul>	<ul style="list-style-type: none"> <li>To be informed if the patient wants to change over to an alternative therapy or if an alternative therapy is being followed concomitantly.</li> <li>To withdraw treatment after duly informing the patient if the doctor believes that the alternate therapy will interfere with existing line of treatment.</li> </ul>
<b>Source for obtaining drugs or tests</b>	<ul style="list-style-type: none"> <li>To choose any registered pharmacy or laboratory to buy medicines or get their tests done respectively.</li> </ul>	<ul style="list-style-type: none"> <li>To get the tests done inhouse or the nearest lab in case of an emergency to prevent delay in patient care.</li> <li>To reorder the tests if they are not done from an approved/registered laboratory.</li> <li>To not be held responsible for the quality of tests/medications from a laboratory or a pharmacy that the patient has chosen.</li> </ul>
<b>Discharge, Referral &amp; transfer</b>	<ul style="list-style-type: none"> <li>To timely discharge &amp; to not be detained in the hospital on procedural grounds.</li> </ul>	<ul style="list-style-type: none"> <li>To be duly paid for their services before the patient gets discharged from the hospital.</li> <li>To have all dues cleared by relatives in case of death of the patient.</li> </ul>
<b>To be heard &amp; seeking redressal</b>	<ul style="list-style-type: none"> <li>To give honest feedback, make comments, lodge complaints about the care that they have</li> </ul>	<ul style="list-style-type: none"> <li>To counter the complaints made by the patients in a lawful manner &amp; to provide apt justification.</li> </ul>

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	received from the doctor or the hospital on the right portals.	<ul style="list-style-type: none"><li>• To resort to a legal recourse if they believe that the complaint is frivolous &amp; has been made for personal gains or to defame the doctor.</li></ul>
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