



**Palliative
Care
Australia**

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Friday 7 March 2008

Professor Chris Baggoley
Chief Executive
Australian Commission on Safety and Quality in Health Care
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Dear Professor Baggoley

Re: National Patient Charter of Rights – Consultation Draft

Palliative Care Australia (PCA) fully supports the development of national patient charts of rights and as the national peak organisation representing those who share an aspiration for quality care at the end of life, we are most pleased to respond to call for comments.

Palliative Care Australia seeks the following points to be taken into consideration

- The eight rights as set out in the draft consultation paper are consistent with the patient rights identified and supported by PCA, particularly in regard to the principles of the national *Standards for Providing Quality Palliative Care for all Australians*¹
- In the consultation papers, the Commission states it will not repeat the extensive development and consultation regarding patient charters but intends to provide a "unitary agreed set of principles". PCA seeks clarification on how agreement is to be reached on these unitary principles given the Commissions further comment that the existing charters are "not consistent in content or implementation".

¹ Palliative Care Australia. May 2005. *Standards for Providing Quality Palliative Care for all Australians*. ISBN 0-9752285-4-0

- The rights of patients have to be balanced by equally well articulated responsibilities. Although the document addresses some areas of responsibility in the **National Patient Charter Principles** these are 'hidden' within the rights text and not profiled in the same ways as the rights. Rights are always accompanied by responsibilities and these need to be separated and clearly expressed.
- The relief of suffering at the end of life is not simply an issue of respect. There are rights related to access, safety, communication, information and participation that frame an individuals' need for relief and palliative care. We would like to see the rights of patients to competent, safe and high quality care at the end of life clearly described.
- Regarding the right of participation - patients have a responsibility to be involved in decisions about their care; it is not just a matter of choice. This needs to be more clearly defined.
- Communication: Patients are entitled to full and frank disclosure (i.e. Open Disclosure) when things go wrong and this should be clearly expressed in the document and separated from the requirement to communicate when plans change.
- Most importantly expressing these rights as ideals will have little impact, even if they are nationally agreed, unless they are enshrined in policy and practice and supported by appropriate changes to legislation.

Thank you for considering these comments. Should you require any further advice on the views of Palliative Care Australia please do not hesitate to contact myself or Mrs Sue Hanson, National Quality and Standards Director at sue@palliativecare.org.au or 02 62324433.

We look forward to further consultation on this important element of quality and safety in health care.

Yours sincerely

Donna Daniell
Chief Executive Officer

CC: Helen Hopkins, Executive Director, Consumer Health Forum