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Professor Chris Baggoley
National Patient Charter of Rights
Australian Commission on Safety and Quality in Healthcare
GPO BOX 5480
SYDNEY NSW 2001

Dear Professor Baggoley

Thank you for giving the Australian Medical Association (AMA) the opportunity to comment on the Australian Commission on Safety and Quality in Healthcare's (the Commission's) draft National Patient Charter of Rights (Consultation Paper of 22 January 2008).

The AMA believes that everyone deserves access to good quality health care. An important factor in being able to access such care is to understand one's rights and responsibilities in the health care system. A National Patient Charter of Rights is an important step in ensuring that patients and their families are provided with the appropriate information to obtain their health care.

We make the following comments:

PATIENT RESPONSIBILITIES

A Patient Charter of Rights must include patient responsibilities as well and these are notably absent in any detail. Patients (and their families, carers, and other nominated support people, where appropriate) have responsibilities when accessing the health care system in order to ensure that they receive the best individual care and that we maintain a safe, fair, high quality health care system for everyone.

A good example of patient responsibilities that must be highlighted in the National Patient Charter is found in the Queensland Health Public Patients' Charter as follows:

What are your responsibilities?

- *You need to give staff as much information as you can about your health*
- *You need to tell staff if you are taking any medicine, recreational drugs or natural therapies*
- *You need to tell staff if someone else is treating you for the same condition*
- *You should ask questions and talk to your family if you want to, before making any decisions about your health care*
- *You need to follow staff instructions for your treatment and care*
- *You need to tell staff about any changes to your condition*

- *You need to be prepared to go to another hospital if your health service cannot give the treatment that you need*
- *You need to be on time for appointments and let your health service know if you want to cancel, or if you change your contact details*
- *You need to talk to your local doctor if your condition changes while on a waiting list for treatment*
- *You should treat all people you meet in the health service (staff, volunteers, patients/clients, their families and aged care residents) with the care, dignity, and consideration we all deserve*
- *You need to respect the confidentiality and privacy of others.*

This list provides clear, comprehensive information as to the responsibilities of patients when accessing health care.

We strongly advocate that the National Patient Charter give equal consideration to both patients' rights and patients' responsibilities and highlight the responsibilities listed above.

ACCESS

The National Patient Charter of Principles states that a patient is entitled to 'equitable access to **public health services** regardless of place of residence' (emphasis added). The term 'public health services' is very vague and it is unclear as to what level of service a patient may expect to receive from one service to the next. All patients are entitled to be cared for by a **medical practitioner** or have their care managed by a medical practitioner. This is a very important issue in terms of fairness and equity for **all** Australians to access high quality care, regardless of place of residence, age, gender, or other relevant factors.

RESPECT

This section addresses the issue of respect and dignity. A major issue in relation to respect and dignity is the protection of personal privacy. It is important that patients have a right to personal privacy including gender specific cubicles and wards as well as a right to privacy with appropriate screens when being assessed and treated in Emergency Departments and wards, even where overcrowded.

We also believe that patients have the right to receive support for not only their physical needs but also for their psychological, emotional, religious and spiritual needs as well.

SAFETY

In terms of safety, we feel that children may be particularly vulnerable in the health care environment and their right to specific protection should be highlighted. We urge that for reasons of safety and suitability, children should not be co-located with adults and in some cases adolescents.

COMMUNICATION

Whilst the patient charter states that patients are entitled to 'clear communication throughout the period of care', the principles do not acknowledge that this communication must be developmentally appropriate as well. Though not limited to children and young people, information that is developmentally appropriate relates to the patient's mental and emotional maturity and capacity (this may also apply to adults with limited or impaired capacity).

INFORMATION

In the National Patient Charter Principles, the section entitled *Information: being informed about services, treatment, and care* states that:


*Patients (who are able) are **expected** to provide information about their history, current treatment, medication and alternative therapies directly or through their family, carer or other nominated support person. (emphasis added)*

*Patients are **expected** to follow plans that have been agreed with the health care provider and to report any changes in their condition. (emphasis added).*

The word 'expected' is simply not strong enough in relation to these very serious matters. They should be included in a section on patient responsibilities.

Again, we thank you for this opportunity to provide comment and commend the Commission's efforts in developing the draft National Patient Charter of Rights. We look forward to its further progression.

Yours sincerely



Dr Rosanna Capolingua
President

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7 March 2008