

# Patient's Rights & Responsibilities Charter

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## Background and Need

Ayushman Bharat, a flagship scheme of Government of India, was launched as recommended by the National Health Policy 2017, to achieve the vision of Universal Health Coverage (UHC). This initiative has been designed to meet Sustainable Development Goals (SDGs) and its underlining commitment, which is to "leave no one behind."

Delivering 'Quality healthcare' is one of the prime motto of the scheme. In an endeavor to deliver quality care, continuous efforts are being made to set clearer guidelines which can lead to stringent enforcement. Intent of the AB PM-JAY Quality program is to implement & focus on safety, effectiveness, patient-centeredness, timeliness, efficiency, and equitability in all empanelled hospitals in order to create a safe environment for beneficiaries.

This Charter of Patient's Rights is adopted from National Human Rights Commission and international patient charters. There is an expectation that this document will act as a guidance document for all empanelled hospitals to formulate concrete mechanisms so that Patient rights are given adequate protection.

The Patients' Rights charter is created to try to reach 3 major goals:

- 1) Assures that the health care system is fair and it works to meet patients' needs
- 2) To create strong relationship between patients and their health care providers.
- 3) Gives patients a way to address any grievance they may have.
- 4) Patients are informed about the disease, possible outcomes and are involved in the decision making.

Another objective of this Charter is to generate widespread public awareness and educate AB PM-JAY beneficiaries regarding what they should expect from health care providers and what kind of treatment they deserve as patients, in health care settings.

S.No	Rights of Patients	Description of Rights	Reference
1	Right to access medical care	<p>Patients have a right to receive treatment irrespective of their type of primary and associated illnesses, socioeconomic status, age, gender, sexual orientation, religion, caste, cultural preferences, linguistic and geographical origins or political affiliations.</p> <p>All hospitals both in the government and in the private sector are duty bound to provide basic Emergency Medical Care to injured persons irrespective of paying capacity. So it is duty of the hospital management to ensure provision of such emergency care through its doctors and staff, provided promptly without compromising on the quality and safety of the patients.</p>	<ul style="list-style-type: none"> <li>● Scheme is based on SECC data so all beneficiaries belong to socioeconomic status.</li> <li>● Post discharge feedback is taken from all beneficiaries by 24X7 call centers about patients treatment &amp; experience in hospital.- <a href="tel:145551800111565">14555/1800-111-565</a></li> </ul>
2	Right to information	<p>Every patient has a right to adequate relevant information about the nature, cause of illness, provisional / confirmed diagnosis, proposed investigations, risks, benefits, expected treatment outcomes and possible complications to enable them to make informed decisions, and involve them in the care planning and delivery process and it shall be explained at their level of understanding in language known to them.</p> <p>Every patient and his/her designated caretaker have the right to complete information on the expected cost of treatment based on factual evidences.</p> <p>Patients and their caretakers also have a right to know the identity of various care providers and Doctors / Consultants who are primarily responsible for his / her treatment.</p>	<p>Patients are given cashless services under AB PM-JAY scheme.</p> <p>Consents are being uploaded on TMS portal by EHCPs, which include investigations, risks, benefits, complications &amp; outcomes NHA's claim adjudication team &amp; Medical audit is monitoring the process and raising queries to hospitals if records are missing</p> <p><a href="https://pmjay.gov.in/sites/default/files/2021-01/Claims-Adjudication-Manual-2_0-final.pdf">https://pmjay.gov.in/sites/default/files/2021-01/Claims-Adjudication-Manual-2_0-final.pdf</a></p> <p>In case of any grievance- Central System Grievance Redressal Management System (CSGRMS) <a href="http://cgrms.pmjay.gov.in/">http://cgrms.pmjay.gov.in/</a> or AB PM-JAY National Help Line-14555/1800-111-565 can be reached 24*7</p>
3	Right to records and reports	<p>Patient's or their authorized individuals have the right to access the original copy of their all medical records</p>	<p>If patient is denied to access their medical records, complaints can be</p>

		<p>(during period of admission, preferably within 24 hours and after discharge, within 72 hours) and request to receive a copy of their clinical records.</p> <p>The relatives / caregivers of the patient have a right to get discharge summary or in case of death, death summary along with original copies of investigations.</p>	<p>raised on Central System Grievance Redressal Management System (CSGRMS) <a href="http://cgrms.pmjay.gov.in/">http://cgrms.pmjay.gov.in/</a> or AB PM-JAY National Help Line- 14555/1800-111-565 or Email/Letter to NHA's Public Grievance Officer.</p>
4	Right to confidentiality, human dignity and privacy	<p>All patients have a right to privacy and medical information of the patient given to a health care provider shall not be divulged to others unless the patient gives his consent to disclose such information to other.</p> <p>Female patients have the right to presence of another female person during physical examination by a male practitioner.</p> <p>The hospital management has a duty to ensure that its staff upholds the human &amp; personal dignity, respecting special needs such as spiritual and cultural preferences of every patient in all situations.</p> <p>All records &amp; data concerning the patient shall be kept restricted and insulated from data theft and leakage.</p>	<p>NHA has constituted Data Privacy Committee and appointed one data safety officer for data privacy &amp; safety.</p> <p>Reference: <a href="https://pmjay.gov.in/sites/default/files/2018-08/NHA-Data-Privacy-Policy.pdf">https://pmjay.gov.in/sites/default/files/2018-08/NHA-Data-Privacy-Policy.pdf</a></p>
5	Right to second opinion	<p>Patient has the right to seek a second opinion on medical condition from a doctor or hospital of his/her choice. Doctors and the hospital must respect patient's decision to seek a second opinion and shall provide all necessary records and information to the patients caregivers without any extra cost or delay.</p>	<p>Beneficiary Self Help Portal &amp; PM-JAY Mobile App allows beneficiaries to find out their eligibility, nearest empanelled hospital if beneficiaries want to visit another hospitals</p> <p><a href="https://mera.pmjay.gov.in/">https://mera.pmjay.gov.in/</a></p>
6	Right to safety and quality care according to standards	<p>Patients have a right to safety and security in the hospital premises. They have a right to be provided with care in an environment having requisite cleanliness, infection control measures, safe drinking water and sanitation facilities.</p>	<p>AB PM-JAY has developed quality certification program, checklist and empanelment &amp; de-empanelment guidelines to ensure safe &amp; clean environment for patients</p> <p><a href="https://pmjay.gov.in/sites/default/files/2020-06/Empanelment-and-De-empanelment-guidelines.pdf">https://pmjay.gov.in/sites/default/files/2020-06/Empanelment-and-De-empanelment-guidelines.pdf</a></p>

7	Right to proper referral and transfer & continuity of care	<p>A patient has the right to continuity of care and the patient and caregivers have the right to be informed by the hospital about any continuing health care requirements following discharge from the hospital. They have to be provided with information and access on whom to contact in case of an emergency. In case of transfer &amp; referral patient shall be given right explanation that justifies the transfer, as well as confirmation from the hospital receiving the patient about their acceptance of the transfer.</p>	<p>All medical records are uploaded on TMS portal by EHCPs. NHA's medical audit team has developed triggers &amp; checklist for monitoring of continuity of care and raising queries to empanelled hospitals if records are missing</p> <p><a href="https://www.pmjay.gov.in/sites/default/files/2018-12/Fraud_Investigation_and_Medical_Audit_Manual.pdf">https://www.pmjay.gov.in/sites/default/files/2018-12/Fraud_Investigation_and_Medical_Audit_Manual.pdf</a></p>
8	Right to informed consent	<p>Every patient has a right that informed consent must be sought prior to invasive investigation/surgery (e.g. invasive investigation / surgery / chemotherapy) which carries certain risks. The patient or their family shall be explained about risks, benefits, and alternatives of a given procedure or intervention to enable them to make an informed decision about their care. Informed consent is both an ethical and legal obligation of medical practitioners and originates from the patient's right to direct what happens to their body.</p>	<p>Consents are being uploaded on TMS portal along with other medical records by EHCPs. NHA's claim adjudication team is monitoring the process and raising queries if consents are not being filled by hospitals.</p> <p><a href="https://pmjay.gov.in/sites/default/files/2021-01/Claims-Adjudication-Manual-2_0-final.pdf">https://pmjay.gov.in/sites/default/files/2021-01/Claims-Adjudication-Manual-2_0-final.pdf</a></p>
9	Right to redress	<p>Patient has the right to give feedback, make comments, or lodge complaints about the health care they are receiving or had received from a doctor or hospital and all complaints must be given a registration number and there should be a robust tracking and tracing mechanism to ascertain the status of the complaint resolution.</p> <p>The patient/caregiver has the right to a fair and prompt redressal of his/her concern and every hospital has the duty to set up an internal redressal mechanism to address such complaints.</p> <p>The patient in addition has the right to appeal to a higher authority in the health care provider organization and insist in writing on the outcome of the complaint.</p>	<ul style="list-style-type: none"> <li>● AB PM-JAY Central System Grievance Redressal Management System (CSGRMS) <a href="http://cgrms.pmjay.gov.in/">http://cgrms.pmjay.gov.in/</a></li> <li>● Email to NHA's Public Grievance Officer</li> <li>● AB PM-JAY National Help Line- 14555</li> <li>● Letter Addressing to Public Grievance Officer on official address of NHA</li> </ul>

## **Responsibilities of patients and caretakers**

Along with patient rights, patients & their caretakers shall follow their responsibilities so that doctors and nurses can perform their work satisfactorily.

### **Honesty in Disclosure:**

- Patient should be honest with doctor & disclose my family/ medical history as much information as you can about your present health, past illness allergies and any other relevant details.

### **Treatment Compliance:**

- Patients should cooperate with the doctor during examination, diagnostic tests and treatment, and should follow doctor's advice, while keeping in view their right to participate in decision making related to treatment.
- Patients should follow all instructions regarding appointment time & notify the hospital as early as possible if you are unable to visit and realistic expectations from my doctor and his treatment.

### **Transparency and Honesty:**

- Patient should not ask to provide any incorrect information or false certificates and/or advocate forcefully by unlawful means.
- Patient should discuss out comes of treatment with doctors if not satisfied and make sincere effort to understand therapies which include the medicines prescribed and their associated adverse effects and other compliance for effective treatment outcomes.

### **Conduct:**

- Patient should cooperate with hospital by following the rules like waiting patiently for turn, not smoking, maintaining silence and not bringing children below 10 years of age as visitors.
- Patients should respect the dignity of the doctor and other hospital staff as human beings and as professionals and should not resort to violence in any form and damage or destroy any property of the hospital in case of grievance.
- Patient should help in keeping the hospital environment clean by using garbage bins and not littering the premises.