The Western Australian Public Patients’ Hospital Charter

Delivering a Healthy WA
Multilingual information

If you or your family have trouble understanding English, you can ask for an interpreter.

Pamphlets on the Western Australian Public Patients’ Hospital Charter are available in the following languages:

**Italian**
Sono disponibili informazioni in italiano sul Public Patients Hospital Charter (Carta dei diritti del paziente negli ospedali pubblici).

**Spanish**
Información sobre la Carta de Privilegios de los Pacientes Públicos en los Hospitales se encuentra disponible en Español.

**Arabic**
المعلومات حول ميثاق المستشفى للمرضى على نقطة الحكومة متوفرة أيضا باللغة العربية

**Bosnian**
Informacije o Pravilniku za bolničke pacijente u državnom zdravstvenom sektoru, također su dostupne i na bosanskom jeziku.

**Croatian**
Informacije o pravima bolesnika u Državnom zdravstvenom sustavu možete dobiti na hrvatskom jeziku.

**Serbian**
Информације о Public Patient’s Hospital Charter-у (Повељи државних здравствених болничких осигурацика) су доступне на Српском језику.

**Somali**
Waxaad heleysaa war ku saabsan Axda Isbitaalku ugu tala galay Bukannka Guud oo ku qoran Af Soomaali.
Thai
มีข้อมูลเกี่ยวกับบัตรของใจพยาบาลผู้ป่วยสาธารณะเป็นภาษาไทย

Macedonian
Информации за јавните документи се на располагање на македонски јазик.

Farsi
اطلاعات در مورد بیماران عمومی بستری در بیمارستانهای دولتی، به زبان فارسی نیز موجود است.

Chinese
公立醫院病人實權 也有中文本。

Vietnamese
Tin tức về Những Đặc Quyền của Bệnh Nhân tại bệnh viện công cũng có sẵn bằng tiếng Việt Nam.

Indonesian
Informasi mengenai hak sebagai pasien umum di rumah sakit juga tersedia dalam bahasa Indonesia.

Malaysian
Maklumat mengenai Piagam Hospital Pesakit Awam juga disediakan dalam bahasa Melayu.

If the hospital does not have a copy in the language that you need, please call the Department of Health, on telephone (08) 9222 6430.

People with disabilities
You can receive this document in the format you need by calling (08) 9222 2044.
Foreword

WA Health – your Western Australian public health system – is made up of 37 000 people working together towards a shared vision of healthier, longer and better quality lives for all Western Australians.

As a team, we are focused on providing high quality health and hospital services right across our vast state.

WA Health delivers a first-class health service to our community.

Western Australians enjoy one of the world’s highest life expectancies. Our patients recognise that they receive quality care in our hospitals and we perform well on key safety and quality indicators.

Our goal is to ensure that you receive timely, high-quality care in WA public hospitals, and that you are treated with dignity and respect.

This Western Australian Public Patients’ Hospital Charter explains your rights and obligations as a public hospital patient and gives details about how you can provide feedback about your public hospital experience.

WA Health encourages all patients in our healthcare system to be active partners in their own health care.

I encourage you to read this Western Australian Public Patients’ Hospital Charter, and assure you that your care and comfort are our primary concern.

Signed by Kim Snowball
February 2011
Summary of public patients’ rights in Western Australian public hospitals

All patients in Western Australian public hospitals have a number of fundamental rights to:

1. choose to receive free public hospital services as a public patient, or to choose to be treated as a private patient in a public hospital with an associated cost
2. receive treatment based on your health needs, and, if you need to wait for this treatment, to be told how long you can expect to wait
3. have access to a range of public hospital services regardless of where you live in Western Australia
4. have access to an interpreter
5. agree or refuse to participate in medical/nursing student training or medical research
6. be treated with respect, dignity and consideration for your privacy and special needs
7. be accompanied by a family member, friend, carer or person of your choice where appropriate
8. receive safe and high quality health care provided with professional care, skill and competence
9. receive a clear explanation of any proposed treatment, including possible risks and alternatives, before agreeing or refusing to have the treatment
10. seek a second opinion
11. be given information about your continuing health care before you leave the hospital and to have your contact details kept up to date

12. apply for access to your medical records under the Freedom of Information (FoI) Act 1992 and to have personal information kept confidential

13. compliment, comment or complain about the health care you receive, and to be given information about how to lodge a complaint, without compromising your health care.

**Mental health patients**

The *Mental Health Act 1996* provides a number of extra rights for patients receiving psychiatric treatment. For more information please contact the Office of the Chief Psychiatrist on telephone (08) 9222 4462 or visit: www.chiefpsychiatrist.health.wa.gov.au
Information on public patients’ rights

Access to health services

1. The right to choose to receive free public hospital services as a public patient, or to choose to be treated as a private patient in a public hospital.

All Western Australian residents have the right to receive quality public hospital services, either free of charge as a public patient, or as a private patient with an associated cost (that may be partially or fully covered by private health insurance).

If you have private health insurance, you may still choose to be treated as a public patient at a public hospital. If you do not have private health insurance, you may still ask to be treated as a private patient. You should be aware of the potentially significant financial costs associated with choosing to be treated as a private patient without private insurance.

Before being admitted to a public hospital in Western Australia, you will be asked to choose to be treated as a public patient or a private patient. You will be required to fill in an election form that will explain the consequences of your choice. Hospital staff will be available to assist you if you have any queries.

If you elect to be treated as a public patient, then you will receive care provided by a doctor allocated to your case by the hospital. If you elect to be treated as a private patient then, where possible, a doctor of your choice will treat you.

If you are not able to make a decision when you are admitted, you will be asked to choose to be a public or private patient and fill in the relevant form when you are able to do so. In such cases, your choice to be a public or private patient will be backdated to your date of admission.
After being admitted, you may not change your election to be a public or private patient unless it can be shown that you were not fully informed of the consequences of your first choice, or that your circumstances have changed significantly.

Visitors from other countries that have special health care agreements with Australia can choose to be treated as public patients. These countries currently include the United Kingdom, Italy, Malta, the Netherlands, New Zealand, Sweden, Finland, Ireland, Norway, Belgium and the Republic of Ireland.

**Services available to public patients free of charge**
If you choose to be treated as a public patient you will not have to pay for most care and treatment provided by a public hospital. The services that are available to public patients at no charge include:

**Inpatient services**
Medical, nursing, and other care and treatment provided to public patients who are formally admitted into a public hospital.

**Outpatient services**
Health services or procedures provided by a public hospital to a person not formally admitted as a patient of the hospital.

**Emergency services**
Services provided when a patient requires immediate treatment at a public hospital as a result of accident, trauma or acute illness. All emergency services are provided free of charge to all patients, as you cannot ask to be treated as a private patient when you are being treated by emergency services.

**Services for which a public patient may be charged**
A fee will be charged for some services that may be provided to public patients by a public hospital. These services include:

**Inpatient services**
You will be asked to pay for personal expenses such as TV hire and telephone calls.
Outpatient services

A charge may apply to dental and optical services, hearing aids, prescription drugs, surgical supplies, artificial body parts, aids and appliances and home modifications.

Charges for private and other types of patients in public hospitals

The following types of patients may incur costs:

Private patients

If you choose to be treated as a private patient in a public hospital, charges will apply. The cost of most medical services provided to private patients is covered under current Medicare arrangements. Medicare will refund 75 per cent of the Medicare scheduled fee for medical services and procedures provided to private inpatients. If you have private health insurance, your health insurance fund will refund the remaining 25 per cent of the schedule fee. However, it is possible you may have to pay the amount your doctor charges in excess of the schedule fee. You have the right to obtain advice from your doctor on the likely cost of treatment before it starts. If the practitioner does not discuss fees, you should ask what fees you will be charged.

As well as medical costs, private patients will be charged a fee for hospital accommodation and related costs, including the costs of artificial body parts. If you have private insurance, your health insurance company may pay all or part of these costs. The actual out-of-pocket cost to patients with private health insurance will depend on the services provided and the type of insurance cover held. Private patients should check with their insurance company regarding any possible out-of-pocket expenses. Private patients without insurance will be liable for the full cost of accommodation and related expenses.
Patients needing nursing home care
Patients who need nursing home care may be asked to pay a fee while in a public hospital, in the same way as residents in nursing homes do.

Patients with compensation claims
Patients who are claiming compensation for their illness or injury may have to pay the public hospital from their compensation settlement. Compensation claims include workers’ compensation or third party motor vehicle insurance.

If you will be claiming compensation, then you have the right to ask the likely cost of all treatment provided and if the fees for treatment need to be paid up front.

Person who is not an Australian resident
If you are not an Australian resident, you may be charged for your time in hospital, unless your country has a special health care agreement with Australia (countries which do have special agreements with Australia are listed on page 7). If your country of citizenship does not have a special agreement with Australia, you will be required to meet the full cost of treatment and accommodation provided by a public hospital.

2. The right to receive treatment based on your health needs, and, if you need to wait for this treatment, to be told how long you can expect to wait.

In public hospitals, priority is given to people with the most urgent health needs, regardless of their financial or health insurance status. Waiting times vary depending on the treatment required.

Emergency treatment
Emergency departments in public hospitals serve the needs of patients suffering acute illness, accidents or trauma.
They use a system that places patients arriving at the hospital in an order of priority based on medical need. This priority system, known as triage, ensures that the patients with the most urgent needs are dealt with first, and other patients treated as medical staff become available.

**Elective surgery**

If you do not need to have a surgical procedure immediately, you may be placed on a hospital waiting list. Such surgery is called elective surgery, and is provided by the public hospital system depending on a person’s health needs. The length of waiting lists can vary considerably between hospitals. It can also vary according to the type of surgery; for example, whether it is a cataract operation or a knee replacement. You have the right to be told of the expected waiting time for the type of surgery you require.

If the expected waiting time seems too long, then you can ask your general practitioner/specialist to find out if the procedure can be done sooner by a different practitioner/specialist, or in a different hospital. More information on wait lists can be found online at www.health.wa.gov.au/ElectiveSurgery. If you do not have the Internet at home, visit your local library for assistance.

Estimated waiting times for surgery are only a guide. It is possible that the time will change due to unforeseen circumstances. If your condition deteriorates while you are on a hospital waiting list, you should tell your general practitioner. He or she may be able to arrange for a review of your case by the relevant hospital or specialist, or discuss with you possible referrals to a different hospital.

**Outpatient clinics**

Attendances at public hospital outpatient clinics are usually based on an appointment system. Waiting times vary between clinics depending on the demand for the service and when specialists are available. However, clinics sometimes will arrange an appointment sooner if a person’s medical need is urgent.
3. The right to have access to a range of public hospital services regardless of where you live in Australia.

**Hospital services in rural and remote areas**

Public hospitals located in rural and remote areas of Western Australia provide access to a range of public hospital services, including inpatient and emergency services. If you need a more complex service, then you will be referred to a public hospital where the service is available. In emergency situations, the hospital may organise for you to be transported to another hospital with the facilities to provide the treatment you need.

If you are referred to another hospital in a non-emergency situation, then financial assistance towards your travel and accommodation costs may be available. The Patient Assisted Travel Scheme (PATS) provides assistance for Western Australian country patients who have to travel more than 100 km (one way) to obtain the nearest available medical specialist treatment. For further information about PATS contact your local health service and ask for the PATS Officer, or go to www.wacountry.health.wa.gov.au/pats.

**Treatment at a public hospital when away from home**

If you are away from the place you normally live and need hospital treatment, you can seek treatment at any nearby public hospital.

4. The right to have access to an interpreter.

You have the right to be given information about your condition in a language that you understand. If you need help talking to the health professionals who are responsible for your care, you can ask for a professional interpreter. The hospital can organise a professional interpreter from the Translating and Interpreting Service (TIS).
This service will be provided to you free of charge. If a sign language interpreter is needed, this service will also be provided free of charge.

5. The right to agree or refuse to participate in medical/nursing student training or medical research.

As a patient in a public hospital, you may be asked to participate in student training, medical research, or trialling new medical/surgical techniques. You have the right to choose whether or not you wish to participate in any of these activities. You should be given enough time to decide whether you wish to do so. You should not be placed under any pressure to take part or made to feel that your decision will in any way affect the quality of care you receive in the hospital.

Public hospitals play an important role in training health professionals, and you may be seen/treated by a Resident or Registrar. These are medical practitioners who have completed their university education and are now training in the public hospital system. The public hospital system relies on those medical practitioners to maintain a high standard of care in the WA public health system.

6. The right to be treated with respect, dignity and consideration for privacy and special needs.

As a patient of the hospital, you are entitled to receive safe and competent care and be treated with respect, dignity and consideration for your privacy and any special needs that you have. This means that you are entitled to:

- be interviewed and examined in privacy
- be provided with specific equipment or adapted services to meet your requirements if you have a disability
- be provided with an interpreter service if you are from a culturally and linguistically diverse background
- be treated with respect for your cultural and religious beliefs in accordance with the WA Charter of Multiculturalism
- expect that people not directly involved with your care and treatment will not be consulted about your care and treatment without your permission
- refuse to talk with or see anyone not officially associated with your care and treatment.

7. The right to be accompanied by a family member, friend, carer or person of your choice where appropriate.

You may choose to be accompanied by another person when your health care and treatment options are being discussed with you. While it is your choice to have a support person with you, it is not compulsory to do so.

Information about your health care

8. A right to safe and high-quality health care.

All patients have the right to receive safe and high-quality healthcare provided with professional care, skill and competence in every encounter with a public hospital. As a public patient you are entitled to a safe, secure and supportive healthcare environment. You can assist by informing health care staff if something has been missed in your care or if an error might have occurred. You should also explain to the health care professionals responsible for your care any circumstances that you feel may make your healthcare riskier or any safety concerns that you may have.
9. The right to be given a clear explanation of any proposed treatment, including possible risks and alternatives, before agreeing or refusing to have the treatment.

Information
You should be given enough information by the attending practitioner/specialist so that you can fully understand your condition and the proposed treatment, including any risks and details of any tests that may be undertaken. You have the right to participate in making decisions about your health care.

If you are being treated for a medical condition you should generally be given information including:

- whether the proposed treatment is conventional or experimental
- the expected outcomes, common side-effects and risks involved in any proposed treatment
- whether there are any alternative treatments
- how long the treatment will take, including time in hospital and the expected recovery time
- how sure doctors are about your diagnosis
- how sure doctors are that the treatment will work
- what will happen if you don’t proceed with the proposed treatment, or any treatment at all.

Consent to treatment
Most of the time, medical procedures cannot be carried out unless you give permission. As well as your right to consent, you have the right to refuse any or all procedures at any time, including life-sustaining procedures. However, where urgent treatment is required and you are unable to provide consent (for example, because you are unconscious), your consent isn’t needed.
If you are a patient with a mental illness who is admitted as an involuntary patient, you can be given treatment without your consent. It is important that you understand the decision you are making when you consent to treatment. If you do not understand any details of your condition, or the proposed treatment procedures, or the side effects of drugs being prescribed, you should ask your doctor or nurse for more information. If you are unsure whether you have been told about all the possible risks of the treatment, ask your doctor or nurse to explain the risks. You should be given enough time to decide whether or not to proceed.

Generally a child requires consent from a parent or guardian before treatment can commence, except in emergency cases. However, a child can consent to their own treatment if they fully comprehend and understand the possible consequences of treatment.

10. The right to seek a second opinion.

In Western Australia all public hospital patients have the right to seek a second medical opinion about your diagnosis or proposed treatment options. Where possible, hospital management will help you obtain a second medical opinion, depending on the nature of your illness, where you live and whether an alternative medical practitioner is available.

11. The right to be given information about your continuing health care before you leave the hospital.

You should be asked about your needs and circumstances and be involved in planning for your discharge from hospital. If you have concerns about being discharged or about what will happen after you have left hospital, you should raise them with the health professional responsible for your care in the hospital.
The hospital will make arrangements for your discharge, including:

- letting you know when you are likely to be discharged
- providing your general practitioner, specialist and/or community health care organisation with a written discharge summary or other health information to support your continuing health care
- providing you with health advice in a written form if needed, including a hospital contact telephone number
- helping you retrieve your personal property and effects.

Where it is needed, the hospital will also:

- notify community-based services of your discharge so that they can put in place any services you need
- ensure you have a medical appointment with your hospital or general practitioner after you leave hospital
- help you arrange transport.

12. You have the right to apply for your medical records under the Freedom of Information (FoI) Act 1992 and to have your personal information kept confidential.

You have the right to apply for access to your medical records. Information from health records held in public hospitals and health services is obtainable under the Freedom of Information Act (FoI) 1992. Through freedom of information people have the right to apply for access to information held by a state government agency. All major hospitals in Western Australia have a Freedom of Information officer who handles these applications.
The medical record cannot be removed from the hospital, but can be viewed under the supervision of a health care professional. Access to your medical record can be denied if reading any part of the record could endanger your health, risk the safety of a member of the community and/or endanger the privacy of another person.

Confidentiality of medical records

The health professionals who care for you need to see your health records. These may include records of your care at other public hospitals in Western Australia. Some other hospital staff may also need to see your health records for other reasons, such as improving the quality and safety of services. Health care professionals and hospital staff are legally and ethically obliged to keep personal information confidential. However, the hospital is also legally required to release some information to government departments. Some examples are information for the registration of births and deaths and the notification of infectious diseases.

Patient information is used to improve health services. Information about people who have used hospitals is sent from the hospital to the Department of Health Western Australia. The information sent is a summary of information about each patient’s condition and the care they have received. This information is analysed and used to plan and improve health services and identify trends in the population’s health, such as whether there is an increase in diabetes, or whether certain groups of people have a higher risk of cancer. Individual patients cannot be identified in any published reports because reports only use information without any names, addresses, or other personal information.

Patient information from hospitals and the Department of Health may also be used for research that helps to provide better health care for the community. An Ethics Committee, which includes community members, must approve all research.
Researchers must follow strict guidelines and maintain the confidentiality of the information. Research reports published do not identify individual patients unless the patient agrees.

Information about your hospital treatment will usually be provided to your general practitioner or other health professionals providing your care out of hospital, unless you object.

**Complaints procedure**

13. The right to compliment, comment on or complain about the health care you receive, and to be given information about how to lodge a complaint without compromising your health care.

If you wish to compliment, comment on, or complain about, any service received in a public hospital, you should first raise your concerns with attending hospital staff, either verbally or in writing. This should be done as soon as you are able to do so.

Many public hospitals in Western Australia have a complaints co-ordinator or a patient liaison officer with whom you can raise your concerns. You can also contact hospital management or the Chief Executive/Executive Director of the health service about your complaint. If your complaint can’t be resolved by the hospital, you can contact the Health and Disability Services Complaints Office. Information on the Health and Disability Services Complaints Office is provided on page 20.

Making a complaint about services in a Western Australian public hospital helps hospital staff better meet your needs and those of other patients.

**Mental health patients**

Voluntary mental health patients have the same rights as any other public patient.
Because of the special circumstances of mental health patients detained against their will (involuntary patients), there are agencies established to protect their rights such as the Office of the Chief Psychiatrist, the Council of Official Visitors and the Mental Health Review Board. When they are admitted to hospital, involuntary mental health patients should be provided with a pamphlet explaining their rights under the *Mental Health Act 1996* and the contact details of these agencies.

**What is the Health and Disability Services Complaints Office?**

The Health and Disability Services Complaints Office makes sure that complaints about health services are reviewed, reconciled and dealt with in confidence. The Health and Disability Services Complaints Office was set up by Parliament as an independent authority. Health services include diagnosis and treatment, health care, preventive programs, research and ambulance services. They also cover public and private health services, including alternative medicine.

**How does the Health and Disability Services Complaints Office work?**

Firstly, complaints are referred back to the relevant provider to try to resolve the problem. If this is unsuccessful, the Health and Disability Services Complaints Office asks questions to work out whether the complaint can be taken further. After that, the matter may be closed, dealt with through a confidential process or, in some serious circumstances, by formal investigation. If a health system mistake is revealed, then steps are taken to have the mistake fixed. The Health and Disability Services Complaints Office refers matters of professional conduct and judgement to the Medical Board, Nurses’ Board or other registration boards, as only these boards can take disciplinary action. Registration boards refer complaints that are suitable to the Health and Disability Services Complaints Office.
Public patients’ responsibilities

How you can help
There are a number of things patients can do to help hospitals provide better care.

Let hospital staff know:
- your medical history and that of your family
- any treatment or any medication you were receiving when you were admitted to hospital
- any change in your condition, including any problems you may have with any treatment you are receiving
- any special needs you have, particularly those with a cultural or religious significance
- if you are unwilling or unable to follow treatment instructions
- if you require more information, or if there is anything you do not understand or are worried about.
Consideration for staff and other patients includes being:

- aware and considerate of the needs of other patients
- courteous and respect towards hospital staff. Where people behave aggressively and hospital staff feel threatened, then staff have the right to withdraw care
- aware that hospitals have a special role in the training of health care professionals. Such training is essential to Western Australian health care services. Your treatment may provide an opportunity for such training.

Keeping appointments

- Try to keep appointments. If you are unable to keep an appointment, let the hospital know as soon as possible so that the appointment to be rescheduled. For more information or to reschedule an appointment contact Outpatient Direct on 1300 855 275.

Patient First program

A Patient First booklet is available as part of the Patient First program. This program aims to help consumers become more active, informed and involved in their care. This booklet is available from your hospital and online: www.safetyandquality.health.wa.gov.au
Further information

The Western Australian Public Patients’ Hospital Charter is also summarised in a short pamphlet that answers common questions about your rights as a public hospital patient. Please ask your hospital for this pamphlet.

To order free copies or for more information about patients’ rights, you can contact the Department of Health at:

**Communications Directorate**
**Department of Health**
189 Royal Street
EAST PERTH WA 6004
**Telephone:** (08) 9222 6430
**Email:** communications@health.wa.gov.au

If you have further queries, please contact the relevant hospital or go online to [www.health.wa.gov.au](http://www.health.wa.gov.au)

For country patients go online to the above website or call:
**WA Country Health Service**
**Telephone:** 1800 629 028

Information about the *Australian Charter of Healthcare Rights* is available at the Australian Commission on Safety and Quality in Healthcare website [www.safetyandquality.gov.au](http://www.safetyandquality.gov.au)