

Patient's rights at LUX MED Szpital Gdańsk

Developed pursuant to the Act on Patient's Rights and the Patient's Rights Ombudsman, and **other generally applicable legal acts**

Patient's right to healthcare services

- The Patient has the right to healthcare services corresponding to the state of current medical knowledge, performed with the use of available methods and means of preventing, diagnosing and treating diseases by medical professionals, with due professional care and in line with the principles of professional ethics.
- The Patient has the right to use a reliable and open procedure, based on medical criteria, according to which the sequence of access to services is determined.
- The Patient has the right to emergency medical assistance, also without any referral.
- The Patient has the right to hospital treatment on the basis of a referral issued by a doctor (including a doctor other than a health insurance doctor).
- The Patient has the right to request the doctor providing them with healthcare services to consult another doctor or to have a medical case conference held. The doctor may refuse to consult another doctor if he or she finds it groundless, however the request and related refusal should be recorded in medical records. This also applies to healthcare services provided by a nurse or midwife.

Patient's right to information

- The Patient has the right to comprehensive and comprehensible information about the condition of his or her health.
- The Patient has the right to be provided by a person practicing a medical profession with comprehensible information about the condition of his or her health, diagnosis, proposed and available diagnostic and treatment methods, foreseeable consequences of application or non-application thereof, treatment results and prognosis in the field of healthcare services provided by such a person, and according to competence of this person.
- The Patient or Patient's statutory representative has the right to consent to the disclosure of the above-mentioned information to authorized persons named in medical records.
- The Patient has the right to obtain comprehensive information about nursing care and procedures from a nurse.
- The Patient has the right to information on the type and scope of healthcare services provided by the Hospital, including preventive health programs implemented by the Hospital and financed from public funds.
- The Patient has the right to be sufficiently early informed about doctor's intention to withdraw from treatment and has the right to require the doctor to indicate the possibility of obtaining healthcare services from another doctor or entity providing such services.
- The Patient has the right to demand not to be provided with information about the condition of his or her health, diagnosis and prognosis.
- The Act on Patient's Rights and the Patient's Rights Ombudsman is available on the announcement board in each Ward and in the case of Patients who cannot move, it is available in the patient room.

Patient's right to report adverse reactions to medicinal products

- The Patient has the right to report an adverse reaction to a medicinal product to medical professionals, to the President of the Office for Registration of Medicinal Products, Medical Devices and Biocidal Products, or to the entity responsible for placing the medicinal product on the market.

Patient's right to confidentiality of information related to him or her

- The Patient has the right to expect confidentiality of information related to his or her health and healthcare services provided from all persons who had access to such information.

Patient's right to consent to the provision of healthcare services

- The Patient has the right to consent to the provision of healthcare services and the right to refuse to the provision of such services, unless separate legal acts provide otherwise. In the case of a surgical procedure or a method of treatment or diagnostics posing an increased risk to the Patient, consent should be expressed in writing. Before expressing consent, the Patient has the right to obtain information referred to in the Patient's right to information described herein.
- The Patient can be provided with a healthcare service other than the one to which he or she agreed without obtaining his or her consent if the Patient requires emergency medical assistance and, due to his or her health condition or age, cannot express the relevant consent and there is no possibility to contact his or her statutory representative or actual guardian. A decision on taking medical actions in such circumstances should be consulted by the doctor with another doctor, if possible, and recorded in patient's medical records.

- The Patient has the right to be discharged from the Hospital at his or her own demand. The doctor is obliged to advise the Patient on possible consequences of withdrawal from the provision of further healthcare services. The Patient makes a written declaration about being discharged at his or her own demand. If no such a declaration is available, the doctor makes an annotation in medical records.
- The Patient has the right not to consent to tissue donation after his or her death. If the Patient does not want to be an organ or tissue donor after death, he or she must object during their lifetime by choosing one of available methods of expressing the objection:
 - entry in the Central Register of Objections (CRS),
 - a written declaration with a handwritten signature,
 - a verbal declaration made in the presence of at least two witnesses, confirmed by them in writing.
- In the case of a minor Patient under 16 years of age or a completely incapacitated person, the objection may be expressed by their statutory representative during Patient's lifetime. In the case of a minor Patient over 16 years of age, the minor may also object by him- or herself.

Patient's right to have his or her intimacy and dignity respected

- The Patient has the right to have his or her dignity respected when providing healthcare services.
- The Patient has the right to die in peace and dignity. A terminally ill Patient has the right to healthcare services that ensure pain relief and minimize other types of suffering.
- The Patient has the right to pain treatment.
- The Patient has the right to have his or her close person present at the time of providing healthcare services. A medical professional providing healthcare services may refuse to agree to the presence of a close person when providing healthcare services if there is likelihood of an epidemic threat or considering the Patient's health safety. The refusal is recorded in medical records. A medical professional providing healthcare services may not disagree to the presence of a close person at the time of providing healthcare services if the Patient is a child under 6 years of age.
- A healthcare service should be provided to the Patient in the presence of only those persons from Hospital staff who need to be present due to the type of service provided. Participation of other persons (including medical professionals, students of medical schools, other Hospital staff) requires consent of the Patient and the doctor providing the service. Having said so, the doctor must ensure that the number of students and their behavior do not violate the Patient's right to intimacy and dignity. The Patient may request provision of a healthcare service without the presence of students.

Patient's right to medical records

- The Patient has the right to access medical records relating to his or her health condition and the healthcare services provided to him or her.
- After the hospital treatment is completed, the Patient receives a hospital summary report stating the diagnosis of the disease, test results, treatment, dates of procedures performed, further indications, time of sick leave from work, as well as prescribed medications and dates of planned follow-up visits.
- The right of access to Patient's medical records is exercised by a person authorized by the Patient. After the Patient's death, medical records are made available to a person authorized by the Patient during his or her lifetime, who was his or her statutory representative at the time of the Patient's death; they may also be made available to a person close to the Patient. Detailed rules for making the records available are specified in Article 26 (2) of the Act of 6 November 2008 on Patient's Rights and the Patient's Rights Ombudsman.
- Methods of making medical records available:
 - by making them accessible, also in terms of healthcare databases, at the place where healthcare services are provided, with the exclusion of medical rescue operations, or at the registered office of the entity providing healthcare services, while at the same time providing the Patient or an authorized person with the possibility of taking notes or photos,
 - by making an excerpt, copy, copy or printout thereof,
 - by issuing them in original with acknowledgment of receipt and subject to return after use, only at the request of public authorities or common courts, and also in the event that a delay in issuing the records might cause a threat to the Patient's life or health,
 - via electronic means of communication,
 - on an electronic data carrier.

Patient's right to have his or her private and family life respected

- The Patient has the right to face-to-face, telephone or mailing contact with other persons.
- The Patient has the right to additional nursing care provided by persons indicated by the Patient. The Patient bears any costs resulting from exercising the right to additional care. Information on the amount of fees and the method of determining them is public and is available at each Hospital Clinic/Ward.

Patient's right to object to a doctor's opinion or decision

- The Patient has the right to object to a doctor's opinion or decision.
- If the Patient does not agree with a doctor's opinion or decision, he or she may file an objection to the Medical Commission through the Patient's Rights Ombudsman. The objection can be filed:
 - by mail:
Biuro Rzecznika Praw Pacjenta ul. Młynarska 46
01-171 Warszawa
 - by e-mail: kancelaria@rpp.gov.pl
 - via the ePUAP platform: Mailbox address: /RzPP/skrytka
- An objection may be filed if:
 - The opinion or decision issued by the doctor affects the rights or obligations arising from legal regulations.
 - The objection clearly states which opinion or medical decision the Patient does not agree with (therefore a copy of the said decision/opinion should be attached to the objection) and how it affects his or her Patient's rights or obligations, as well as from what legal regulations these rights or obligations arise.
 - An appeal procedure in relation to the opinion or decision that the Patient does not agree with is not governed by separate legal regulations.
 - The objection must be filed within 30 days from the date of the doctor's opinion or decision.

Patient's right to pastoral care

- The Patient staying in the Hospital has the right to pastoral care. In the event of health deterioration or life-threatening situation, the Hospital enables the Patient to contact a clergy person of his or her denomination.

Patient's right to safekeeping of his or her valuables

- The Patient has the right to leave his or her valuables in safekeeping. A ward nurse is the person responsible for the safekeeping of Patient's valuables in the Clinic/Ward. The need to have the valuables safekept should be reported to the nurse.

Child's rights during the provision of healthcare services

- When using healthcare services, the Patient under the age of eighteen has the same rights as an adult Patient, taking into account the rights of parents or guardians, as well as taking into account limitations resulting from Patient's age.
- The doctor is obliged to provide the Patient who is under 16 years of age with information about the condition of his or her health, diagnosis, proposed and possible diagnostic and treatment methods, foreseeable consequences of application or non-application thereof, treatment results and prognosis, to the extent and in the form necessary for the proper course of diagnostic or therapeutic treatment process. In addition, the Patient has the right to express his or her opinion.
- The Patient who is under 16 years of age has the right to obtain comprehensible information on nursing care and procedures from a nurse or midwife.
- In the case of the Patient who is over 16 years of age, his or her consent is required to perform an examination or provide another healthcare service (in addition to consent of the statutory representative). In the case of a minor who is completely incapacitated or unable to express conscious consent, consent is expressed by his or her statutory representative. If there is no statutory representative, consent to the examination may be expressed by an actual guardian, i.e. a person who, without having such a statutory obligation, takes permanent care of the Patient. Unless applicable legal regulations provide otherwise, consent may be expressed verbally or through behavior that clearly shows willingness to submit to the procedures proposed by the doctor.
- In the case of a surgical procedure or method of treatment or diagnostics posing an increased risk, in addition to the consent of the statutory representative, written consent of the minor over 16 years of age is also required.

- The Patient who is over 16 years of age has the right to object to the provision of a healthcare service, also despite the consent of his or her statutory representative or actual guardian. Unless applicable legal regulations provide otherwise, the objection may be expressed verbally or through behavior that clearly shows non-willingness to submit to proposed procedures.
- The Patient who is over 16 years of age has the right to object to the procurement of his or her cells, tissues and organs after his or her death.
- In order to minimize pain and discomfort during a clinical trial, a minor Patient has the right to have the presence of personnel with knowledge and skills in dealing with minors ensured during the trial, as well as the right to benefit from methods aimed at minimizing the associated discomfort during the trial.

Patient's rights may be subject to limitations in the event of an epidemiological threat or in view of patients' health safety.

Telephone patient information: 800 190 590

**free nationwide general helpline number of the Patient's Rights
Ombudsman and Voivodeship Branches of the National Health Fund**

Charter of patient's obligations at LUX MED Szpital Gdańsk

§ 1

1. The Patient is obliged to have a relevant document confirming his or her identity.
2. During admission to the Hospital, the Patient is obliged to present a document confirming his or her identity.
3. The Patient applying for a healthcare service financed from public funds is obliged to present a referral from a doctor (does not apply to emergency admissions).
4. In the case of paid hospitalizations, the Patient receives an invoice covering costs of the entire hospitalization on the day of discharge.
5. When collecting test results, the Patient is obliged to present an identity document.

§ 2

Considering the nature of the healthcare services provided, in particular surgical procedures, the Patient should undergo qualifying consultations before the procedure; it is also recommended that he or she provide medical records with, for example, results of relevant tests, vaccinations.

§ 3

During a medical or nursing interview, the Patient is obliged to provide full and true information about his or her health and the course of previous treatment. The Patient is obliged to inform the attending doctor about their regularly taken medications (including those not related to the disease that is the reason for hospitalization).

§ 4

1. The Patient is not allowed to bring any large items, weapons and other tools and devices to the Hospital, the use of which may pose a threat to life or health.
2. The Patient is not allowed to bring animals to the Hospital. This does not apply to a blind or visually impaired Patient with a guide dog; the dog should be on a leash and muzzled.

§ 5

1. The Patient staying in the Hospital should:
 - a. behave properly,
 - b. not disturb other Patients and the Hospital staff,
 - c. treat other Patients and the Hospital staff with respect and kindness,
 - d. comply with recommendations and instructions of the Hospital staff,
 - e. comply with the ban on entering parts of the Hospital that are not intended for general Patients' use;
 - f. not use staff passages,
 - g. comply with fire safety regulations,
 - h. immediately notify the Hospital staff about a fire, breakdown, disturbance and other dangerous or unusual situations,
 - i. comply with the ban on smoking tobacco products, e-cigarettes and using open fire, consuming alcohol, narcotics, psychotropic substances, their precursors, as well as substitute measures specified in legal regulations on counteracting drug addiction.

2. The Patient staying at the Hospital is not allowed to:

- a. knowingly destroy and devastate Hospital property. In particular, the Patient is obliged not to move, remove or destroy medical equipment and other movable items located in the Hospital,
- b. pour out liquids, throw away impurities or waste to places not intended for this purpose,
- c. touch medical, electrical, gas, ventilation and heating apparatus and devices.

§ 6

The Patient staying in the Hospital should also:

- a) follow the daily schedule while staying in the ward;
- b) stay in his or her room in the ward during medical rounds and doctor's visits (unless he or she is in the course of a treatment and care procedure or medical consultation), during the distribution of meals, as well as during quiet hours;
- c) observe quiet hours from 10:00 p.m. to 6:00 a.m.;
- d) notify the nurse or doctor of each case of leaving the ward, stating approximate duration of the planned absence;
- e) have, as far as possible, clothing intended for staying in the Hospital, i.e. a nightgown or pajamas, a bathrobe, slippers, socks, and toiletries;
- f) refrain from using by him- or herself of hospital lifts intended for use by the Hospital staff.

Mobile phones should be used in a way that does not cause disturb other Patients. Mobile phones should not be used in areas marked with the "Do not use mobile phones" label. Mobile phones can be used in diagnostic and treatment may only if medical staff agree to this.

Recording the image (sound and vision) of other patients and Hospital staff, including in particular during medical activities, and disseminating such recordings without their express consent may be illegal.

Pursuant to the Act on Medical Activity, the Patient may be immediately discharged from the Hospital if he or she grossly violates the order or the process of providing healthcare services, and there is no risk that the decision on refusing or stopping healthcare services may cause a direct threat to his or her life, or other people's life or health.

§ 7

The above-mentioned obligations also apply to third parties staying in the Hospital, Patient's representatives, persons taking actual care of the Patient and persons accompanying the Patient.

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