

Rights and obligations

of citizens in the public health services of Andalusia

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Your **rights** as a user of the healthcare system

- To receive care under conditions of equality, without discrimination for any reason, respecting your personality, human dignity and privacy.
- To be offered the available healthcare, benefits and services necessary to care for your health.
- For you, your relatives or companions to receive information in comprehensible language on everything related to your process, including diagnosis, treatment, prognosis, expected stay in hospital and alternative treatment.
- To receive information on the health services and benefits to which you may have access and the necessary requisites in each case.
- To be offered information on health prevention and promotion programmes carried out in your primary healthcare centre.
- To be informed on collective health aspects of special interest, incidence or risk.
- To be received personally on arrival at a health centre, and especially in hospital, to be informed of all matters that can make your stay more comfortable.
- To receive clear and comprehensible information on treatment, surgical procedures and tests that involve risks, before your written consent is obtained.
- To know about and give prior written authorization to procedures used in a teaching or research project which under no circumstances may entail an additional risk for your health.
- To choose from the options submitted by your doctor, and to refuse any health intervention, except in the cases established by law (risk for public health, incapacity and urgent intervention in cases of risk of irreversible injury or danger to life).
- To be accompanied by a relative or person you trust at all times during the healthcare process, provided that clinical circumstances so permit.
- To have all the information concerning your care in any health centre kept confidential, and to have access to the personal data obtained during your care.
- To have a written record, or record on technical support, of your process kept in your medical record. The information, which must be in one record for each health institution, will include your state of health and evolution, as well as the tests and treatment you receive.
- To have access to your medical records, using the established procedures.
- To receive a report on discharge from hospital, on completion of a specialist consultation, and on discharge from emergency.
- To be issued a certificate attesting to the state of your health.
- To be assigned a doctor and a primary healthcare centre to treat you, although you may choose another doctor and centre.
- To choose your general practitioner and paediatrician from among those practising in your town or city, and also from among the other doctors in the Health District corresponding to your address.
- To choose a specialist for consultations, when in the opinion of your GP or paediatrician, you need to be treated by a specialist, and to receive care from the same specialist during your process.
- To choose a hospital within the Public Healthcare System of Andalusia, if you are waiting for an operation.
- To have a second medical opinion on your process, in the terms established.
- To know the name and function of the professionals who treat you.
- To be operated on within the term established in ruling legislation for each of the procedures of the Public Health System.
- To receive healthcare in an acceptable time, depending on the process, and to be offered information on waiting times for consultations, tests and operations for the various processes.
- To have the Charter of Rights and Obligations available in all health centres. You are also entitled to make complaints and suggestions and to receive a reply within the established periods.
- To participate in the public healthcare system through the Area Health Boards, represented by Consumers and Users Associations and to express your opinion through different social research models, and to receive information on the resulting measures for improvement.
- To have all appropriate actions taken that, together with the care for your process, are aimed at reducing and relieving suffering and pain both in critical situations and in the process of death, in accordance with maximum respect for autonomy, integrity and human dignity.
- To have your living will, declared using the established procedure, taken into account.
- To have the information on your genome kept confidential and not used for any kind of discrimination. You are also entitled to obtain the advantages deriving from available new genetic technology in accordance with the ruling legislative framework.
- To use information and communication technologies, in accordance with the development of such technologies in health services, with criteria of accessibility, security and continuity.

Your **obligations** as a user of the healthcare system

- To comply with the general instructions on health common to the entire population, and those of the health services, in accordance with the established provisions.
- To respect the rules established in the centre, and to respect the personnel providing services in it.
- To be responsible for the use of the resources and benefits offered by the Public Health Service of Andalusia, basically as regards the use of services, pharmaceutical benefits, orthoprosthesis benefits and unfitness for work procedures.
- To take care of facilities and collaborate in their maintenance.
- To comply with the administrative rules and requisites for use of and access to healthcare benefits.
- To sign, if you refuse treatment, the pertinent document in which it will be clearly stated that the patient has been sufficiently informed and refuses the suggested treatment.



Servicio Andaluz de Salud
CONSEJERÍA DE SALUD

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CHARTER OF RIGHTS AND DUTIES

Under the Andalusian Health Act (2/1998), all Spanish citizens and foreigners resident in Andalusia have and are entitled to enjoy the following rights in relation to healthcare:

- ◆ To individual and group treatment and services, pursuant to the relevant legislation.
- ◆ To respect for their personalities, human dignity and privacy, not being discriminated against on any grounds.
- ◆ To be informed of any factors, situations and risks affecting individual or group health.
- ◆ To be informed of the healthcare services and treatment available to them and any requirements for their use.
- ◆ To be informed of the financial cost of the treatment and services received.
- ◆ To the confidentiality of all information related to their treatment and stay at any healthcare centre.
- ◆ To be notified if any prognostic, diagnostic or treatment service applied to them might be used for any teaching or research project, which shall under no circumstances involve any additional health risk. In all cases the patient's prior authorisation in writing shall be required, as well as acceptance by the relevant doctor and the management of the health centre in question.
- ◆ Together with the patient's relatives or companions, to receive ongoing, detailed and readily understandable information, both orally and in writing, on the treatment given, including diagnosis, prognosis and any alternative treatments.
- ◆ To be issued upon request a certificate accrediting the patient's state of health.
- ◆ For all treatment to be dully documented in writing or electronically. At the end of the patient's stay in a healthcare institution, the patient, relative or companion shall receive the corresponding discharge information.
- ◆ To access to the patient's clinical history.
- ◆ To a free choice of doctors, other healthcare professionals, services and healthcare centres under the relevant regulatory terms and conditions.
- ◆ To a guarantee, within the Andalusian territorial boundaries, that access to medical treatment is available within a maximum time, under the relevant regulatory terms and conditions and in accordance with the corresponding deadlines fixed.
- ◆ To be assigned a doctor, whose name shall be given, to act as patient's main contact with the healthcare staff. In the absence of this person, another member of the medical team shall take over this role.
- ◆ To make free choice from the options presented by the medical contact for the patient's case, with the patient's prior consent in writing being required for any treatment, except in the following cases:
 1. If failure to apply the treatment would lead to a public health risk.
 2. If the patient is in no condition to make decisions, in which case, this right shall correspond to the patient's relatives or companions. If no relatives or companions are present or cannot be located, this right shall correspond to the judicial authorities.
 3. If the risk of irreversible injury or death requires urgent action to be taken.
- ◆ To receive a second medical opinion on the patient's treatment, under the relevant regulatory terms and conditions.
- ◆ To refuse treatment, except in cases set out in the aforesaid Act.
- ◆ To participate in healthcare services and activities through the channels provided under the Act and any such further provisions as may be made.
- ◆ To use the mechanisms for lodging complaints and making suggestions, and to receive a reply in writing by the relevant legally established deadlines.
- ◆ To have access, at all healthcare centres and establishments, to a Charter of Rights and Duties governing the patient's relationship with such centres and establishments.



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◆ Without prejudice to the other provisions included herein and pursuant to the relevant provisions of the Civil Code, mentally ill patients shall have the following rights:

- To the requirement that the healthcare centre shall request the relevant judicial authorisation in cases of involuntary admission with no prior judicial authorisation, or, in cases of voluntary admission, if the patient's mental state should prove to be abnormal after such admission.
- To the requirement that the centre should review at least every three months the need for such forced internment. The relevant judicial authorities shall be informed of the results of such review.

Citizens also have the following individual duties:

- ◆ To comply with health-related instructions common to the population as a whole and with specific instructions as determined by the healthcare services.
 - ◆ To take appropriate care of the facilities and collaborate in the maintenance of the habitability of healthcare centres.
 - ◆ To accept responsibility for the proper use of the resources provided by the healthcare system, particularly in relation to the use of services, sick-leave procedures and treatment.
 - ◆ Comply with the relevant regulations and procedures in relation to the use of and access to the rights afforded by the aforesaid Act.
 - ◆ Maintain due respect for the internal rules at each healthcare centre and the staff who provide services there.
 - ◆ In the event of refusal to accept any healthcare actions, to sign the relevant document, which shall clearly state that the patient, even after having been properly informed, has refused the suggested treatment.
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If you need any further information, please go to the User Service Department on the ground floor of this hospital (open Monday to Friday mornings), where we will try to answer any needs and solve any problems arising from your hospital admission. Also, if you so wish, we will contact the closest embassy or consulate of your country of origin to tell them that you have been admitted to this hospital and inform them of any needs you may have.