Charter of Rights and Responsibilities

حقوق اورژن داریون کا منشور

حق کو فرضن جو پذیرنامو

For Healthcare Establishment

صحت جی سارسنیال سندز ادارن لاء ایبائے اسپتال وصحت مرکز

(Draft for Stakeholders consultation)

(سودویہ اے مشترک مفادرکے دلاۓ فراغیین)

(استیب هولڈرز سان صلاح مصلحت لاء مسودو)
ACRONYMS/سرتے/اذاکری

SHCC  Sindh Healthcare Commission
PMDC  Pakistan Medical & Dental Council
HCSP  Healthcare Service Provider
HCE   Healthcare Establishment

Sind Health Care Commission
پاکستان میڈیکال اینڈ دنتال کونسل
معالج/طبی عمل
سندہ سیرت اسٹیبلشڈ/صحت نگرانی کی اسپبرینگ/سماوی کی

Directorate of Complaint SHCC
DEFINITIONS


(a) Wholly or partly used for providing healthcare services; and

(b) Declared by the Government, by an order published in the official Gazette, as a healthcare establishment;

Healthcare Services: means services provided for diagnosis, treatment or care of persons suffering from any physical or mental disease, injury or disability including procedures that are similar to forms of medical, dental or surgical care but are not provided in connection with a medical condition and includes any other service notified by Government.

Healthcare Service Provider: means an owner, manager or in-charge of a healthcare establishment and includes a person registered by the Pakistan Medical Dental Council, National Council for Tibb and Homeopathy or Nursing Council, pharmacy service provider.

وصفون

صحة الباركية جنرال: صحة الباركية جنرال، صحة الباركية جنرال، صحة الباركية جنرال، صحة الباركية جنرال، صحة الباركية جنرال، صحة الباركية جنرال.


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EXECUTIVE SUMMARY

Sindh Healthcare Commission (SHCC) has developed this charter to ensure that the rights of Healthcare Establishments’ (HCE) and those working for HCE are safeguarded. It will be reviewed annually or on a need basis, as deemed appropriate by SHCC, in view of its experiences, through a consultative process involving patients, healthcare service providers, healthcare establishments, related professionals, staff and other stakeholder groups.

These rights and responsibilities are intended to be used as a tool that healthcare establishments refer to or to know what their rights and responsibilities are while functioning in the healthcare services in Sindh. It also focuses on a patient Centered approach and promotes participation by patients and HCSPs as well as other HCEs. It also empowers HCEs to feel secure and safe and to perform their functions in providing quality healthcare services in Sindh with protection of property, and without fear of harassment/violence.

Sindhi

سندہ ہیلٹ چیئر کمیشن (اسی انج-
سی سی) ہے یہ تریبیون تری بلو آئی تے
جنہاں صحت جس سالنڈر خاندان ادارے
سی ای) یہ آئی یا پر چمک خاندان چی
حق اجو اجوتی پنئیسی چیکہ یاج۔ یں جو
سالیئنی با شرورت چی بنیاد چی تی جنور ورتوا
ویندرو جین سی اینج سی پنھنچی تجری-
چی بنیاد چی مناسب سمجہدی یائے یں جو
طرفیکار ہلا مصحت وارو ہنڈو جنہن
پر منیسیں چی سارسینیاں جون
خداومن ہن چندنر چندنر یائے چی سارسینیاں
سندرر ادارے لان کاژیلی پروفیسنل
عملى یا پن اسیکہ هولدر گروین چی شامل
کچہر ہنیدرا۔

سوج اہا آئی تے زنڈہ صحت
جی سارسینیاں چندنر ادارا صحت چی
سارسینیاں جون خداومن ہنار مرنکنی تے چک
وقت انجین کی معیار ضرور یا چندنر چی
فرض پرکھا ہی ا نہیں کیوں ہنی تی عمل بکنی۔
ان جو مرادر مرنکنی ہن این ہنار مرنکنی چی
ضرورت کی ہنی چی ترپ یا یا ہن سگن ان پر
سی اینج پنی پن اینج سی اینج یا پن
ہنار مرنکنی ہن این ہنار مرنکنی چی
لائق
بنیاد چی نے برات پر صحت جس چیک
سرلہومن ہنار مرنکنی وقت این ہنی پان چی
مہم طور چی منحوں سی چو چیکہ
ملکبی کی محفوظ سمجھی کین ذمکی/}

تشد جو خوف نہیں۔
Rights are legal, social, ethical principles of freedom or entitlement, which are the fundamental normative rules about what is allowed to people or law to people, according to the general law. “Health for All” is a primary goal of the Government of Sindh and in order to regulate healthcare it has established the Sindh Healthcare Commission (SHCC). The SHCC will strive to make provision for: Improvement, Access, Equity, and Quality of healthcare service, to ban quackery in all its forms, and provision of ancillary matters. The prime organization registering doctors and dentists is Pakistan Medical & Dental Council (PMDC). PMDC, along with other regulatory authorities, have defined the patients, service providers/healthcare establishment’s rights in their code of ethics. These rights and responsibilities are essential to make sure that quality in healthcare is provided.

GUIDING PRINCIPLES

There are three guiding principles which describes how this charter of healthcare establishment’ rights and responsibilities applies in the healthcare delivery system in Sindh.

1. Everyone has the right to access safe and quality healthcare and this right is essential for the Charter to be meaningful.

2. The Government of Sindh commits to international agreements like the Geneva Declaration, Alma Ata Declaration, Sustainable Development Goals (SDGs) etc; about human and health rights which recognize everyone’s right to have the highest possible standard of physical and mental health.

3. Sindh consists of people with different cultures and ways of life, and the Charter acknowledges and respects these differences.

RIGHTS OF HEALTH CARE ESTABLISHMENTS (HCEs)

1. ACCESS

A. Rights:

Every registered healthcare establishment has an equal right to provide healthcare services, equal benefit and protection under law, with no discrimination.
B. Responsibilities:

Healthcare establishments' responsibilities are:

- Not to unfairly discriminate against any agency, patient, medical scheme, medical faculty, government or any other person or institution on the basis of race, religion, belief, origin or any other ground of its owner (s).

- Have a right to perform its functions in its areas of interest, geographical location in Sindh, subject to not contradicting Government policies/law.

- Have right to develop their organization's own policies, procedures for functioning of daily operations of the healthcare establishment; while keeping in mind that it should not contradict any existing rules or regulations set by the Government or regulatory authorities.

- Have to right to equal treatment and the benefit of law in all applications and dealings with patients, government, private sector and others.

- Not to be unfairly discriminated against by any agency, patient, medical scheme, medical faculty, government or any other person or institution on the basis of race, religion, belief, origin or any other ground of its owner (s).

- Health establishments may not refuse emergency treatment to patients.

- To treat all patients equally and provide them with the same level of concern irrespective of age, color, disability or illness, gender, marriage, race, religion or belief, nationality, politics or social status.

- Management of healthcare establishments ensures not to harass patients, healthcare providers/ staff or others on the basis of sex, gender, sexual orientation, race or any group characteristic.

- To respect the religion, beliefs and opinions of their patients, healthcare service providers and staff, even if it differs from their own, and not to force any patient or HCSP, staff, colleague to subscribe to any religious practice, belief or opinion.

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2. SAFETY AND PROTECTION

A. Rights:

All registered healthcare establishments have equal rights to safety and freedom.

Have the right to open healthcare establishment at a place ensuring safety of patients and employees.

Have the right not to be harassed or abused by any patient, HSP staff, or any other.

Have the right to physical protection of the property, building or any equipment/material available in the healthcare establishment and maintaining proper mechanism available for complaints.

Have the right to get protection, physical and financial, in case of damages, clashes/conflicts.

Have the right to refuse the use of healthcare establishment building/walls for displaying of any advertisement and posters.

B. Responsibilities:

Healthcare establishments' responsibilities are:

- To provide a safe environment, especially where harmful medical equipment, medicines or devices are used.
- There should be appropriate systems in place for medico-legal work, such as cases of rape, domestic violence, abuse, assault, drunken driving, etc. (in HCEs that are equipped for this).
- To provide an environment that is not harmful to the health or wellbeing of staff and appropriate management of stressful situations and supervision/assistance available for staff.
- To ensure that staff are not subjected to cruel, inhuman or degrading punishment or treatment and to report instances where these occur, especially abuse and violence against women, children and the elderly.
- To ensure that medical waste is disposed off appropriately and safely.
- To follow protocols related to infectious disease control.
To inform their patients of the harmful effects of medicines and how to store and use it properly.

To adopt good and rational practices to prescribed drugs.

To ensure that medical reports are fair and accurate, and that only particular authorities authorized by law are disclosed to insurance and assistance agencies.

3. RESPECT & DIGNITY

Healthcare establishments have the right to show Respect, Dignity and Consideration.

A. Rights:

- Within the premises of HCEs, the patients, carers, HCSP, and staff have the right to be treated with dignity and respect.
- Have the right to not face violent and aggressive behavior by patients, their carers, HCSP/staff, and other agencies.
- To be able to perform functions in an environment that is not hostile in terms of sex, gender, sexual orientation or (presumed) race or ethnicity.
- To be paid a fair remuneration for services rendered and not to have any unlawful interference with these and other property rights.
- Have the right not to be forced to take part in any unlawful search or seizure or to have the right to enquire to the status of the subject brought to them.

B. Responsibilities:

Healthcare establishments’ responsibilities are:

- Ensure dignity, patience, empathy, tolerance, and courtesy during treatment of patients and performing of their staff.

Directorate of Complaint SHCC
4. INFORMATION

Healthcare establishments have the right to give and receive information

A. Rights:

- Right to get accurate and complete personal contact details of patients i.e. full name, age, complete postal address, contact numbers etc., and they should be informed by the patient, HCSP, staff, of any changes in given information.

- Right to get complete and accurate information about patient’s health including present health condition, previous medical history, medications, hospital stays, herbal/homeopathic and other traditional remedies and any other matter related to patient’s treatment.

- Right to access information held by any agency or other person or private institution, company or organization regarding patient’s health.

- Right to express themselves and their opinions without victimisation.

- Healthcare establishments have the right to notify their patients of their services according to the rules.

- Right to have their justifiable disputes heard in a court of law or other appropriate forum.

B. Responsibilities:

Healthcare establishments’ responsibilities are:

- To provide access to information requested by their patients and to ensure that health data is stored safely and not passed to others without the patient’s informed consent.

- To provide information to the patient using the appropriate medium and language, so that it’s easily understood.

- Ensure care provision with privacy and dignity and to consider religious and cultural belief throughout the duration of care.

- To pay the applicable dues and fairly remunerate their own employees.

- To respect the property occupied and that of the surrounding area.

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- To pay the applicable dues and fairly remunerate their own employees.

- To respect the property occupied and that of the surrounding area.
Healthcare establishments may withhold information on the limited grounds listed by the Pakistan Right to Information Act 2013.

Not to practice hate speech or to subscribe to expressions that are harmful to others or is aimed at inciting harm or violence.

Management of healthcare establishments have a responsibility to listen to their patients and take their views into consideration.

Have proper mechanism available for complaint management.

Healthcare establishments have the responsibility not to advertise in an unprofessional or comparative manner.

To assist in legal proceedings when called upon as expert witnesses.

Healthcare establishments have a particular responsibility to report crimes or activity such as child abuse, domestic violence and abuse of the elderly.

5. PARTICIPATION

Healthcare establishments have the right to participate in the collaborative process of decision making, occupation and trade, fair labour practices and political choices.

A. Rights:

Have right to freedom of assembly, demonstration, picketing and to present petitions, without victimization.

Have right to freedom of trade, occupation and profession, within the limits set by the Government and the law in general.

To take part in economic endeavours, fair labour practices, including the rights to lodge disputes including fair dispensations of overtime, leave and working conditions.

To have the right to have their grievances taken up at appropriate forums.

Have the right to initiate disciplinary enquiries against any employee/staff.

Have right to make political choices and participate in political activities, to freedom of association, which includes the


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right to voluntarily form, join and participate in any association or to disassociate.

- Have right to initiate and participate in career development activities, education and training.

**B. Responsibilities:**

Healthcare establishments’ responsibilities are:

- To exercise their rights to assembly, demonstration, picketing and petition to such an extent that it does not affect the healthcare of their patients.

- Not to exercise its association in such a manner that it discriminates against any other healthcare establishment/patient/employee.

- To ensure that they exercise their occupation within the limits set by the law. This also means that economic endeavours should not amount to perverse activities or partake in activities that undermine the best possible patient care.

- To facilitate and harmonise the employment rights of healthcare providers employed by them.

- To practice healthcare/medicine to such an extent as not to endanger the lives of their patients.

- To ensure that patients participate in research with their full and informed consent.

- To ensure that any political affiliation and activities does not interfere with their duties to good patient care.

**6. PRIVACY**

Healthcare establishments have the right to privacy and confidentiality.

**A. Rights:**

- Have right to personal protection and privacy, as well as privacy of information. This includes protection of personal information of their patients, staff and HCSPs and property, except to those authorised by law or by a court.

**B. Frustrations:**

- Healthcare establishments have the responsibility to exercise their rights to assembly, demonstration, picketing and petition to such an extent as not to endanger the lives of their patients. To exercise their occupation within the limits set by the law. This also means that economic endeavours should not amount to perverse activities or partake in activities that undermine the best possible patient care.

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7. FEEDBACK AND COMMENT

Healthcare establishments have the right to feedback and comment on the conduct of any patient, HCSP, Staff/employee, other healthcare establishment.

A. Rights

- Have the right to pass any feedback, suggestions and raise concerns or complaints to the SHCC or to any regulatory or law enforcing agency as deemed necessary without any fear of retribution/revenge and harassment by patients, HCSP, staff/other healthcare establishment.

- Have the right to be aware of procedures of complaints and resolution of disputes and conflicts.

- Have right to be given information on how to give feedback and comment or raise concerns about the health services and care.
B. Responsibilities

Healthcare establishments’ responsibilities are:

- To provide both positive and negative feedback about the attitude, practices and care about the health services in general.
- To withhold from initiating or participating in fraudulent healthcare and to report unethical behavior of patients, HCSPs, staff, other healthcare establishment to the appropriate authorities.
- To raise any concerns about the safety, effectiveness or cleanliness of services that may affect the health of patients and their families/employees/staff of healthcare establishment and society.
- To discuss any misunderstandings/lack of understanding regarding healthcare services, procedures, rules and policies of healthcare establishment through the appropriate methods/channels.

The above-mentioned rights and responsibilities are intended to be used as a tool that healthcare establishments refer to or to know what their rights and responsibilities are while functioning in the healthcare services in Sindh. It also focuses on a patient Centered approach and promotes participation by patients and HCSPs as well as other HCES. It also empowers healthcare establishments to feel security, safety and to perform its function and provide quality healthcare services in Sindh with protection of property, without harassment/violence.

- Have the right to seek compensation if it has been harmed/harassed by patients, employees, staff, other HCES.
- Healthcare establishments are expected to:
  - Provide healthcare as per the standard of care.
  - Not discriminate against any patient due to their medical condition.
  - Provide healthcare in a manner that is culturally sensitive.
  - Ensure that all patients are informed about their medical condition.
  - Provide healthcare in a language that is understood by the patient.
  - Provide healthcare in a manner that is respectful of the patient’s culture.

- Healthcare establishments are not expected to:
  - Discriminate against any patient due to their medical condition.
  - Provide healthcare in a manner that is culturally insensitive.
  - Fail to provide healthcare in a manner that is respectful of the patient’s culture.

- In case of any discrepancy, the patient may file a complaint with the Sindh Health Care Commission (SHCC).