

# RIVERVIEW HOSPITAL CHARTER OF PATIENT RIGHTS

*February 1994*

## **PREAMBLE:**

The Board of the British Columbia Mental Health Society is pleased to endorse the Charter of patient Rights outlined below as a framework for patient care at Riverview Hospital. In support of this Charter of patient Rights, the Hospital will undertake all reasonable efforts to ensure these rights are exercised while recognizing the rights of others, and in conformance with existing legislation.

## **PART I QUALITY OF LIFE/SOCIAL RIGHTS**

Social rights emphasize the rights of the patient rather than administrative/organizational convenience, and aim to avoid a system of control that may become dehumanizing. These rights are to be interpreted within the Hospital's responsibility to provide a safe and therapeutic environment for all patients within the available resources. These rights include economic assistance, privacy, confidentiality, security of person and property, recognition of individuality, access to religious services, freedom of social contact and communication in the language of choice.

Each patient has:

1. The right to a safe and secure environment.
2. The right to considerate and respectful care.
3. The right to be treated with dignity and respect at all times. This right applies also to patients' family members, significant others and friends.
4. The right to an appropriately prompt, reasonable and courteous response to requests for services or information.
5. The right to an interpreter when needed.
6. The right to be provided with sufficient, nutritious and palatable food, with consideration given to religious and medical requirements.
7. The right to receive a written monthly statement, as well as at the time of discharge, of deposits, withdrawals and balance of account(s), and a written receipt and account balance for all deposits and withdrawals.
8. The right to meet with clergy or other spiritual advisors, as promptly as possible.
9. The right to privacy including during visits and in the sleeping environment provided this doesn't create a risk for the patient or others.
10. The right of liberal access to family members, significant others and friends.
11. The right to privacy for sexual activity between adult patients subject to

- capacity to consent and to engage in safe sexual practices.
12. The right to education regarding communicable diseases including sexually transmitted diseases, and the right to confidential access to prophylactics to assist in the prevention of communicable diseases.
  13. The right to a quiet sleeping environment.
  14. The right to wear personal clothing at any time while hospitalized unless deemed to be an elopement risk.
  15. The right to uncensored and unobstructed communication by telephone, letter or in person with any willing party.
  16. The right to retain and use personal clothing, money and possessions with access to secure storage, unless this poses a risk to the patient or others.
  17. The right upon discharge:
    - (a) to have two business days notice;\*
    - (b) to notify the person of choice;
    - (c) to have appropriate help in finding suitable housing and community resources;
    - (d) to be informed of follow-up medical care and support and to have assistance in arranging it;
    - (e) when a patient agrees to a planned discharge, hospital staff will make sure such a discharge does not occur until issue of finance, housing and community clinical care are addressed.

\* Where the discharge is ordered by the Review Panel, two business days notice is not possible.
  18. The right to choose and be provided with recreational and educational activities.
  19. The right of generous access to the out-of-doors daily. Normally this will be no less than 90 minutes unless this puts the patient or others at risk or if staffing is not sufficient.
  20. The right of spouses to share a room if both are patients, if both are agreeable, if a private room is available in an appropriate ward and if it is deemed to be clinically appropriate for both patients.
  21. The right to be provided with all possible assistance in ensuring that financial support from appropriate agencies during hospitalization and upon discharge is obtained.
  22. The right of a volunteer, as promptly as possible.

## **PART II QUALITY OF CARE/THERAPEUTIC RIGHTS**

Therapeutic rights emphasize the right of patients to be involved in treatment decisions. Patient involvement in treatment decisions involves the right to be fully informed of treatment options and voluntary patients to give consent freely. This enhances the patient's ability to strive toward improved health and to make a commitment to a post-discharge treatment plan.

This approach includes consideration of therapeutic alternatives, second medical opinions, choice of caregiver, clinical safeguards, information about treatment, access to caregiving persons, discharge plans and adequate supervision.

Each patient has:

1. The right to receive prompt and appropriate care and treatment provided by appropriately trained staff.
2. The right to know the full identity and professional status both of ward staff and other staff providing services at Riverview Hospital.
3. The right to expect a reasonable continuity of caregivers.
4. The right to choose caregivers and care environment where possible.
5. The right to a second medical opinion and to have hospital staff facilitate the obtaining of this opinion.
6. The right to be involved in discharge planning from the time of admission.
7. The right to be fully informed of all reasons, benefits and risks involved in any proposed transfer.
8. The right to be informed, upon discharge, of continuing treatment requirements, and to have every reasonable effort made to ensure these are met.
9. (The right to know) Prior to giving consent to any treatment, but in conformance with the Mental Health Act:
  - a) the nature and type of any treatment planned and how it may work;
  - b) the likely benefits of the treatment;
  - c) the common and likely side effects, adverse reactions or risks of the treatment;
  - d) the known and safe treatment options; and,
  - e) the potential risks and benefits of refusing treatment.
10. The right to receive reasonably full and complete information concerning treatment in terms and language that can be reasonably expected to be understood.
11. The rights to be free from chemical and physical restraint, except in an emergency where it is necessary to protect the patient from injury to self or others. The physician must have authorized this restraint for a specified and limited period of time.
12. The right to be free from experimental and/or controversial procedures unless informed consent is given.
13. The right to give consent freely without any external pressure or coercion, unless otherwise mandated by law.

### **PART III SELF-DETERMINATION/LEGAL RIGHTS**

When a person is admitted involuntarily to a psychiatric hospital, a number of civil and human rights may be taken away. An involuntary patient has a right to be informed of the reasons for detention and of the available review process. Self-

determination includes the right to be informed before giving consent, but in conformance with the Mental Health Act, access to clinical records, legal rights information, review of compulsory treatment and restraint.

Each patient has:

1. The right not to be detained unless the rules of natural justice and fair procedure are followed.
2. The right of access to free legal advice, counsel or advocacy on request.
3. The right not to be impeded from choosing a lawyer to provide representation at review panels that consider the matter of involuntary detention.
4. The right immediately upon admission, or as soon thereafter as the patient can reasonably understand, to be fully informed of the relevant Riverview Hospital rules and regulations, legal rights and the Charter of Patient Rights, including the right to a Review Panel or court hearing under the Mental Health Act. This information must be provided on an ongoing basis, at least every three months, and be presented in a manner and language that can be understood.
5. The right to see his/her hospital record, to attach a statement of corrections and have specific parts of the record copied, without charge, unless harmful to third parties or self.
6. The right to have all communications and records pertaining to care while hospitalized shared only with persons directly involved with medical and psychiatric treatment of the patient, except where required under law.
7. The right, if eligible, to vote in any municipal, provincial or federal election, and to be fully notified of the date, time and place of enumeration and voting and to receive any necessary assistance in being enumerated and in travelling to the polling station, if on hospital premises.
8. The right not to be subjected to any form of cruel and unusual treatment or punishment. This is guaranteed under the Canadian Charter of Rights and Freedoms and the United Nations' Universal Declaration of Human Rights.
9. The right to be provided with a written copy of the Riverview Hospital Charter of Patient Rights and to have it posted in every patient dayroom and at every main building entrance.
10. The right of access to an organization independent of Riverview Hospital to investigate alleged violations of these patient rights.

Nothing in this document prevents Riverview Hospital from recognizing patients' additional rights including those protected by the Canadian Charter of Rights and Freedoms and the United Nations' Universal Declaration of Human Rights. This document will be reviewed annually through a consultative process involving patients, former patients, patient advocacy organizations, family members, staff and other stakeholder groups.