



RIGHTS AND OBLIGATIONS OF THE HEALTH SERVICES USER

(Law nr. 15/2014, 21st of March)

The right to health protection is established in the Constitution of the Portuguese Republic, based on a set of fundamental values such as human dignity, equity, ethics and solidarity.

The understanding of the rights and privileges of users, extending to all users of the national and regional health systems, empowers them to actively intervene in the progressive improvement of care and services.

The information available here does not dispense the careful reading of the applicable legislation in effect. For more thorough understanding of the rights and obligations of the health services user, please see the following documents:

- Law 15/2014, of 21 March.
- Regional Legislative Decree 3/2016/M, of 28 January.
- Ministerial Order 5344-A/2016, of 14 April, of the Secretary of State for Citizenship and Equality and the Adjunct Secretary of State and of Health.

RIGHTS OF THE HEALTH SERVICES USER

Right to choose

* The health service users have the right to choose the services and the healthcare providers according to the existing resources.

* The right to health protection is achieved according to the organisation rules of the health services.

Consent or refusal

* The consent refusal of the healthcare provision must be declared in a free and enlightened manner except special provision by law.

* The health service users may cancel the consent in any moment of the healthcare provision.

Suitability of the healthcare provision

* The healthcare service users have the right to get, immediately or in a clinically acceptable period of time, as appropriate, the healthcare they need.

* The health service users have the right to the most appropriate and technically correct healthcare provision.

* All healthcare must be provided with humanity and respect for the user.

Personal data and private life protection

* The health service users have the right to reservation of private life and the personal data protection.

* The legislation that regulates the personal data ¹ is applicable to data processing in the health area, assuring that the data collected are adequate, relevant and not excessive for the pursued purposes.

* The health service users have the right to accessing to all collected personal data and they may require the rectification of any incorrect information and the inclusion of fully or partially missing information, under the law in force for personal data protection.

Secrecy

* Healthcare users have the right to secrecy about their personal data.



* Health professionals are bound by the duty of confidentiality in relation to the facts that they have taken knowledge during their duties, except any different legislation or judicial decision requiring disclosure.

Right to information

* The health service users have the right to be informed by the healthcare provider about their situation, possible treatment alternatives and the likely evolution state.

* The information must be transmitted in an accessible, objective and comprehensive manner.

Spiritual and religious assistance

* The healthcare service users have the right to religious assistance no matter what religion you they have.

* Legal churches or religious communities must be provided with the conditions that allow spiritual and religious assistance, when requiring, to in-patients in the National Health Services hospital, according to applicable legislation

Complaints

* The healthcare service users have the right to complain and file a complaint in hospitals, in accordance with the law, as well as receiving compensation for damaged suffered.

* Complaints may be presented in the book of complaints or in person and, according to the law, the answer to the complaint it is compulsory.

* The health services, health goods and services suppliers and health operators must have the complaints book ready to be used by anyone.

Right to association

* The healthcare service users have the right to create entities that represent them and defend their interests.

* The healthcare service users may create entities that collaborate with the healthcare system, in particular associations for the promotion and protection of health or groups of friends in hospitals.

Minors and incapable people

* The law should provide the conditions where legal representatives of minors and incapable may use the rights that assist them, in particular refusing assistance, in compliance with the constitutional principles.

OBLIGATIONS OF THE HEALTH SERVICES USER

1. The health services user must respect the rights of other users, as well as the related health professionals.

2. The health services user must respect the rules of the organisation and the operation of services and health establishments.

3. The health services user must collaborate with the health professionals in all aspects regarding their condition.

4. The health services user must pay the fees incurred for medical care, if applicable.