



Full Version 1. Know Your Patient Rights

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*You, as a patient in Manitoba, have the right to make decisions about your healthcare.
If you are informed and involved, you are more likely to be satisfied with your healthcare.*

What are your rights as a patient in Manitoba?

Patients and families want:

- Emotional support, respect, privacy and dignity
- Useful and clear information for better decision making
- Cooperation from trusted healthcare providers
- To be involved in their healthcare decisions
- Attention to their needs
- To be heard when they have suggestions or concerns
- To hear the truth about their health situations as soon as possible
- Access to their medical records (personal health information)

What is patient and family centered care?

Patient and family centered care means that the patient, the family and the advocate are partners with providers in the healthcare process. Providers:

- Share information openly with the patient and the family
- Listen to patient's needs
- Think about patients as people and more than their illness
- Respect their expectations
- Involve the patient and family in all healthcare decisions.

What rights do patients have in Manitoba?

In Manitoba, you have the right to make decisions about your own health.

You and your family members can expect healthcare staff to respect your dignity and privacy. Healthcare services should occur in a kind, fair and private manner.

You, as the patient, have the right to:

1. Ask questions and get answers in a timely manner.

Use the 3 *It's Safe to Ask* questions:

What is my health problem?

What do I need to do?

Why do I need to do this?

2. Seek a second opinion.

3. Ask about your healthcare provider's experience and training.

4. Be informed before you willingly give or refuse consent.

You need to know all the facts an average person in your health situation would need before you make a decision.

You have the right to know:

- The names of the healthcare staff providing the treatment
- The providers' roles and what they are going to do
- How a treatment will be done
- Why the treatment will be helpful
- The healthcare providers' experience and training
- Facts about your healthcare (past and future) shared in clear language you can understand
- Your choices of treatment
- All benefits, risks and possible side effects about the choices
- What might happen if you refuse a treatment
- Parents or guardians may give or refuse consent for their children, up to 18 years of age. (In some regional health authorities, the age of consent is 16 years of age.)

5. Access your personal health information in your medical records.

You can ask for any information you need to make informed decisions about your healthcare.

Manitoba's law, the Personal Health Information Act (PHIA), allows access to personal health information, with limited exceptions. PHIA requires providers (called trustees) to keep your health information private, safe and secure. See Access Your Medical Records.

Your personal health information includes:

- Your name, address and Personal Health Identification Number (PHIN)
- Facts about your health, healthcare history and family history
- Facts about the care you are receiving
- Facts about payment for your healthcare.

The table on the following page states your patient rights under PHIA.

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Your rights relating to your personal health information (PHI)	Type of Healthcare	Type of Healthcare Setting	Response Times for Providers/Trustees
See	Current care	In the hospital	Within 24 hours after you ask
See and get a copy	Current care	In the community such as a personal care home, home care, a doctor's office and a hospital clinic	Within 72 hours after you ask
See and get a copy	Past care	Any setting	Within 30 days after you ask
Name a person such as a family member, friend or patient advocate to access your PHI. If you are competent, you must give written consent. Exceptions - see PHIA section 60(2).	All care	Any setting	Anytime
Ask for corrections to your medical records if there is incorrect or missing information.	All care	Any setting	Anytime Note: If the trustee does not provide you with the information, he must tell you in writing and state the reason(s) why not. You have the right to complain to the Manitoba Ombudsman.
Refuse to share your PHI with: family, friends, healthcare providers, religious groups and charitable fundraising groups.	Current care	Any setting	Anytime

Further information is provided on the following websites:

- *The Personal Health Information Act (PHIA)*.
www.gov.mb.ca/health/phia/index.html or call Manitoba Health at 788-6612 in Winnipeg or toll-free at 1-800-392-1207.
- *Health Information Access and Privacy: A Guide to the Personal Health Information Act*. Province of Manitoba and Ombudsman Manitoba.
www.gov.mb.ca/health/phia/docs/phia_guide.pdf

6. Get help from a patient advocate.

As a patient, you may find it hard to ask doctors questions. If you are ill, you may not feel like asking questions and you may not understand the answers. For safety and support reasons, you can have an advocate help you while you receive healthcare services.

- Choose a family member, friend, or other person you trust, to be your patient advocate and helper. See Choose Your Patient Advocate.
- Ask someone to be your advocate before you become ill. To fill in the *My Patient Advocate Agreement* go to safetoask.ca/s.a.f.e.-toolkit/patient_advocate_agreement.

7. Decide the type of care you do and do not want to receive.

- You have the right to make your own healthcare decisions.
- If you are able to speak for yourself, but want help:
 - Choose a patient advocate to speak up on your behalf.
 - Leave copies of your *My Patient Advocate Agreement* with your doctor, advocate and keep one for yourself.
- Decide in advance what kind of care you do and do not want in case you become unable to speak for yourself.
 - Fill in a Health Care Directive, also called a Living Will. Go to the website www.gov.mb.ca/health/livingwill.html for a copy of the directive.
 - Tell your doctor(s) in advance the name of the person who will make care/treatment decisions for you, if you become unable to speak for yourself.
 - Call the Seniors Information Line at 945-6565 in Winnipeg or toll-free 1-800-665-6565, or speak with your lawyer.

8. Voice your concerns.

- You and your advocate have the right to speak up when you have questions or concerns.
- You have the right to:
 - Share views about your health situation without interruption.
 - Ask questions about your healthcare.
- Use the following process:
 - Speak with your direct provider first, if you have concerns.
 - Take your complaint to a higher level, if no one listens. See *Know The Steps In Stating Your Concerns*.
 - Ask about any delays in seeing specialists, having treatments, or getting confirmed tests and results.

9. Report a critical incident (CI).

- You, as the patient, must be told as soon as possible if a critical incident occurs while you receive healthcare.
- Call the Critical Incident Reporting Line at 788-8222 in Winnipeg or call your regional health authority office if you live elsewhere in Manitoba. In rural areas, ask to speak with the person responsible for receiving reports of a critical incident. *See Know The Process When Harm Happens.*

Resources

Canadian Resources

- Manitoba Institute for Patient Safety (MIPS) websites www.safetoask.ca and www.mips.ca
- *Health Information Access and Privacy: A Guide to the Personal Health Information Act.* Province of Manitoba and Ombudsman Manitoba. www.gov.mb.ca/health/phia/docs/phia_guide.pdf
- *The Personal Health Information Act (PHIA).* www.gov.mb.ca/health/phia/index.html or call Manitoba Health at 788-6612 in Winnipeg or toll-free at 1-800-392-1207. Printed copies are available from: Statutory Publications, 200 Vaughan St., Winnipeg, MB R3C 1T5, Phone: 204-945-3101.
 - *The Personal Health Information Act.* <http://web2.gov.mb.ca/laws/statutes/ccsm/p033-5e.php>
 - *The Personal Health Information Amendment Act (2):* includes amendments to PHIA from 2010, with new section 60(2) and (3). <http://web2.gov.mb.ca/laws/statutes/2008/c04108e.php>
- *Info Health Guide to Health Services in Manitoba.* Manitoba; 2009. www.gov.mb.ca/health/guide/index.html
- *Finding Your Voice: Our Journey with Cancer through the Health Care System.* Dawn M. White. Winnipeg, MB: Friesens; 2009. www.dawnmwhite.ca
- *Patient Decision Aids.* Ottawa Hospital Research Institute. <http://decisionaid.ohri.ca/index.html>
- *Secrets of Becoming a Priority Patient: Keys to Becoming an 'Insider' in the Healthcare System.* Ronald Baigrie and Colleen McKinnon. Sudbury, ON: The Medical School for Patients; 2003.

Websites

- Consumers Advancing Patient Safety (CAPS) (United States). www.patientsafety.org/
- Institute for Patient- and Family-Centered Care (United States). www.ipfcc.org

Books

- *100 Questions and Answers about Communicating with your Healthcare Provider*. John A. King and Cynthia R. King. Sudbury, MA: Jones and Bartlett; 2009.
- *Family Centered Patient Advocacy: A Training Manual*. Ilene Corina and Eve Shapiro (Editors). Wantagh, NY: Pulse of New York; 2007.
<http://pulseofny.org/resources/FCPAP%2010%2029%20advocate.pdf>
- *Partnering with Patients to Reduce Medical Errors*. Patrice L. Spath (Editor). Chicago: Health Forum; 2004.
- *Patient-Centered Care Improvement Guide*. Institute for Healthcare Improvement (United States).
<http://www.ihl.org/knowledge/Pages/Tools/PatientCenteredCareImprovementGuide.aspx>
- *Patient-Centered Care Improvement Guide*. Susan Frampton, Sara Guastello, Carrie Brady, et al. Derby, CT: Planetree Inc.; 2008. <http://www.patient-centeredcare.org/index.html>
- *Patients as Partners: How to Involve Patients and Their Families in their Own Care*, Meghan McGreevey (Editor). Joint Commission Resources; 2006.
- *Patients as Partners: Toolkit for Implementing National Patient Safety Goal 13*. Meghan Pillow (Editor). Joint Commission Resources; 2007.
- *Protect Yourself in the Hospital: Insider Tips for Avoiding Hospital Mistakes for Yourself or Someone You Love*. Thomas A. Sharon. Chicago: Contemporary Books; 2004.