

Allied Health Medical Law & Ethics



7/26/2016

Module B.1

The Physician-Patient Relationship



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Physician's Rights

- Physicians have the right to:
 - determine patients they are going to treat
 - determine type of services provided
 - not provide service to patients if beyond their scope of practice
 - receive payment for services delivered
 - discontinue a patient/physician relationship and treatment

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Professional Practice Responsibilities and Duties

- During a medical emergency
- Treatment of indigent patients
- Cannot abandon a patient
- Treatment of patients with AIDS
- Proper patient identification
- Respect and maintain confidentiality

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Patient's Rights

- Right to confidentiality
 - Privileged communication
- Right to give informed consent
- Right to privacy
- Right to be informed of advantages and potential risks of treatment
- Right to refuse treatment

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Confidentiality

- All information and records about treatment will be kept confidential by physician and staff unless consent to release is obtained
- Medical Patients Rights Act
- Privileged communication

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Patient Self-Determination Acts

- Advanced directives
 - Living will
 - DNR orders
- Patient may revoke at their discretion
- Family may give consent

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The Patient's Responsibilities

- Comply with Doctor's orders
- Make follow-up appointments to monitor treatment and medication use if requested by the doctor
- Provide truthful information regarding medical history
- Compensate the doctor for medical services rendered

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Doctrine of Informed Consent

- Informed or Expressed Consent
 - Patient agrees to treatment plan
 - Patient understands limits or risks involved as explained by physician
- Requires physician to explain in understandable language

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Implied Consent

- Patient behavior validates that medical treatment is accepted
- In medical emergencies, consent for treatment is assumed when patient is unresponsive

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Suggested Reference

Fremgen, B.F., Medical Law and Ethics, 5th edition (2016). Pearson Education, Inc. ISBN 978-0-13-399898-6

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Credits

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