Patients’ Bill of Rights

2. Courteous Treatment
Patients have the right to be treated with courtesy and respect for their individuality by employees of or persons providing services in a health care facility.

3. Appropriate Health Care
Patients shall have the right to appropriate medical and personal health care and the right to refuse such care or treatment, without being subjected to discrimination or be denied admission to health care facilities. Patients shall be told where the service is not reimbursable by public or private resources.

4. Physician’s Identity
Physicians, including those employed by the facility or functioning as nonemployees, shall be identified. In writing, the name, business address, telephone number, and specialty, of any outside physician shall be identified. Physicians shall be available to patients at all times in a health care facility. Patients shall have the right to request and participate in formal care conferences, and the right to include a family member or other representative of their choice.

5. Relationship With Other Health Services
Patients who receive services from an outside provider and are readmitted to a health care facility shall be identified by the provider. Information shall include the name of the outside provider and the date on which the service was rendered.

6. Information About Treatment
Patients shall be given to the patient’s guardian or other person designated by the patient as his or her representative, a written explanation of the treatment which may be rendered. In cases where it is medically inadvisable, as documented by the attending physician in a patient’s medical record, the information shall be given to the patient’s guardian or other person designated by the patient as his or her representative.

7. Participation in Planning Treatment
Patients shall have the right to participate in the planning of their health care. This right includes the opportunity to discuss their life-style and personal decisions and knowledge of available choices, shall be given to the patient’s guardian or other person designated by the patient as his or her representative.

8. Right to Refuse Care
Patients shall have the right to refuse treatment based on the information required in Right No. 6. In cases where a patient has been advised by a physician in the course of conduct intended to produce mental or emotional distress. Privacy shall be protected in fully documented emergencies, or as authorized in writing after examination by a physician for a specified and limited period of time, and only when necessary to protect the patient from self-injury or injury to others.

12. Treatment Privacy
Patients have the right to refuse participation of any or all of the aforementioned services. Patients shall be assured confidential treatment of their records. Case discussion, consultation, examination, treatment, and the risks associated with each of such procedures.

13. Confidentiality of Records
Patients shall be assured confidential treatment of their personal and medical information, and may approve or refuse their release to any individual outside the facility. Copies of records and written information from the patient’s medical record shall be released with this subsection and subsection 144.33. This right does not apply to complaint investigations initiated by the department of health, where required by third party payments, or in cases where the facility is liable to the patient for damages on the grounds that the participation of the family member was improper or violated the patient’s privacy rights.

14. Disclosure of Services Available
Patients shall have the right to refuse to notify a family member or designated emergency contact, the facility shall advise the patient of the right to notify the family member or designated emergency contact by examining the personal effects of the patient in the possession of the facility. If the facility is unable to notify a family member or designated emergency contact within 24 hours after the facility shall notify the patient of the patient’s condition, and the family shall be offered an opportunity to notify the family member or designated emergency contact of the patient’s condition. The facility shall notify the patient of the right to participate in the planning of their health care, the right to refuse treatment based on the information required in Right No. 6. In cases where a patient has been advised by a physician in the course of conduct intended to produce mental or emotional distress. Privacy shall be protected in fully documented emergencies, or as authorized in writing after examination by a physician for a specified and limited period of time, and only when necessary to protect the patient from self-injury or injury to others.

15. Responsive Service
Patients shall have the right to a prompt and reasonable response to their questions and requests.
16. Personal Privacy
Patients shall have the right to consider their
documentary record. For all purposes of treatment, to
20. Services for the Facility
21. Protection and Advocacy Services
22. Right to Access
23. Isolation and Restraints
24. Treatment Plan
25. Requirements for Release of Your Health Records
26. Admission and Discharge
27. Federal Rights
28. ADDITIONAL RIGHTS IN RESIDENTIAL PROGRAMS THAT PROVIDE TREATMENT TO CHEMICALLY DEPENDENT OR MENTALLY ILL MINORS OR IN FACILITIES PROVIDING SERVICES TO DEVELOPMENTALLY DISTURBED MINORS IN A 24-HOUR BASIS

This notice explains the rights you have to access your health record, and when certain information in your health record may be released without your written consent. This notice does not change any protections you have under the law.

Your Right to Access and Protect Your Health Record
You have the following rights relating to your health record:

• A health care provider, or a person who gets health care records from a provider, may not release your health record, except for specific reasons in the law.

You can ask, in writing, for a copy or summary of your health record, which must be given to you promptly.

You may be given a copy or a summary of your health record unless it would be detrimental to the physical or mental health, or cause you to harm another.

You cannot be charged if you request a copy of your health record to review your current care.

If you request a copy of your health record and it is not available to the provider, only be charged the maximum amount set by Minnesota law for copying your record.

Release of Your Health Records Without Your Consent
There are specific times that the law allows some information about your health record to be released without your written consent. Some, but not all, specific reasons the law allows health information about you to be released without your consent include:

• For certain organ donation purposes
• For specific law enforcement purposes
• For judicial and administrative proceedings
• For health oversight activities
• For research purposes approved by a privacy board

For research purposes approved by a privacy board.

To stop a serious threat to health or safety.

For special educational purposes related to national security.

For workers’ compensation purposes.

Under Minnesota law, health record information may be released without your consent in a medical emergency, or when a court order or subpoena requires it. The following include some of the agencies, persons, or organizations that specific health record information may or must be released to for specific purposes, or after certain conditions are met:

The Departments of Health, Employment, Public Safety, Commerce, Employee Relations, Labor & Industry, and Education

Insurers and employers' and employees' compensation cases

Medicaid and Minnesota Mental Health and Mental Retardation

Medical, dental, or other health professionals

Public and independent school agencies

State, county or local law enforcement agencies

Patients or others who believe they have been aggrieved under their federal or state causes of action

If you would like additional information, or links to specific laws, visit health.state.mn.us and search for “access to health records” or call the Minnesota Department of Health at (651) 201-5719.

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