SA Health

Your Rights and Responsibilities

A Charter for Consumers of the South Australian Public Health System

Government of South Australia

SA Health

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Your rights

SA Health is committed to ensuring that the health care you receive is safe, efficient, effective and respects your rights as an individual.

Access

The right to access health and community services

You have a right to access health and community services that meet your needs.

Safety

The right to be safe from abuse

You have a right to be safe from abuse, or the risk of abuse, and to have your legal and human rights respected and upheld. You have a right to receive services free from discrimination and harassment.

Quality

The right to high quality services

You have a right to receive safe, reliable, coordinated services that are appropriate to your needs and provided with care, skill and competence. Services you receive should comply with legal, professional, ethical and other relevant standards. Any incidents involving you are managed openly to ensure improvements.

Respect

The right to be treated with respect

You have a right to be treated with courtesy, dignity and respect. You have a right to receive services that respect your culture, beliefs, values and personal characteristics.

Information

The right to be informed

You have a right to open, clear and timely communication about services, treatment options and costs in a way that you can understand. When needed, you have the right to a competent professional interpreter.

Participation

The right to actively participate

You have a right to be fully involved in decisions and choices about services planned and received. You have a right to support and advocacy so that you can participate. You have a right to seek advice or information from other sources. You have a right to give, withhold or withdraw your consent at any time.

Privacy

The right to privacy and confidentiality

You have a right to have your privacy respected and your personal information kept confidential and secure. Personal information about you may not be disclosed without your consent, unless the disclosure is required to lessen or prevent a serious threat to life, wellbeing or safety, or is required by law. You have a right to request and gain access to your records unless there are legal restrictions in place. You can nominate person/s with whom information can be shared.

Comment

The right to comment and/or complain

You have a right to be listened to and to comment on or make a complaint about services sought or provided to you. You have a right to have your complaint dealt with properly and promptly, and without retribution as a result of having made a complaint. You have a right to a representative of your choice to support and advocate for you when making a complaint. Your feedback and complaints are managed openly to ensure improvements.

Hearing and speaking assistance

The National Relay Service can provide assistance for people who require hearing and speaking assistance.
National Relay Service: https://www.accesshub.gov.au/about-the-nrs
Phone: 1800 555 660

If you or your carer need help talking to the health professionals who are responsible for your care you can ask a staff member to arrange an interpreter for you free of charge.

Translation assistance

If you or your Carer need help talking to the health professionals who are responsible for your care you can ask a staff member to arrange an interpreter for you free of charge.

Interpreting and Translating Centre Free call: 1800 280 203
https://www.translate.sa.gov.au

Amharic

አርስዎ ወይም ተንከባካቢዎ አስተርጓሚ ካስፈለግዎ፡ አባከዎን ለርስዎ የጤና ጥበቃ አቅራቢ ይጠቁሙ። የዚህ ትንሽ መጽሔት ትርጉም ከኤስኤ ሔልዝ ድረ-ገጽ አድራሻ ከ www.sahealth.sa.gov.au/yourrightsandresponsibilities ይገኛል።

Arabic

ان كنت انت او من يرعاك بحاجة لمترجم يرجى ابلاغ مقدم الرعاية الصحية خاصتك . ترجمة هذا الكتيب متوفرة في موقع صحة جنوب استراليا (SA Health) على شبكة الانترنت www.sahealth.sa.gov.au/yourrightsandresponsibilities

Chinese simplified

如果您或者您的护理者需要传译员，请通知您的医疗服务提供机构。本手册的翻译本可以从南澳健康网 www.sahealth.sa.gov.au/yourrightsandresponsibilities 取得。

Chinese traditional

如果您或者您的護理者需要傳譯員，請通知您的醫療服務提供機構。本手冊的翻譯本可以從南澳健康網 www.sahealth.sa.gov.au/yourrightsandresponsibilities 取得。

Dari

هرگاه شما ومراقبت کنندهٔ شما به حضور یک ترجمان ضرورتی داشته باشید لطفاً موضوع را به آگاهی فراهم کنندهٔ مراقبت صحی تان برسانید. ترجمهٔ این جزوه یا نشریه در SA Health Website ویب سایت صحت استرالیای جنوبی www.sahealth.sa.gov.au/yourrightsandresponsibilities میسر میباشد.

Dinka

Na kɔɔr athok kuɔ raan ye yïn kuɔny kɔɔr athok yïn läŋ lëkë dïktordu. wël cë ke waaric de yee athörë ka tɔ̈u në web thait de Pial në Junub Athɛrɛlya

Greek

Αν εσείς ή ο φροντιστής σας χρειάζεστε διερμηνέα, ειδοποιήστε την υπηρεσία που σας παρέχει υγειονομική φροντίδα. Μπορείτε να βρείτε ελληνική έκδοση αυτού του φυλλαδίου στην ιστοσελίδα της SA Health www.sahealth.sa.gov.au/yourrightsandresponsibilities

Italian

Se voi o il vostro/vostra badante avete bisogno di un interprete informate il vostro fornitore di servizi sanitari. La traduzione di questo libretto è disponibile su SA Health Website www.sahealth.sa.gov.au/yourrightsandresponsibilities

Khmer

បើសិនជាអ្នកឬីអ្នកមើលថែរបស់អ្នកត្រូវការអ្នកបកប្រែភាសាជ្ជាល់មាត់ សូមអោយដំណឹងទៅអ្នកផ្តល់ការមើលថែផ្នែកសុខភាពរបស់អ្នក។ ការបកប្រែភាសានៃកូនសៀវភៅនេះមាននៅលើវ៉ិបសាយ SA Health www.sahealth.sa.gov.au/yourrightsandresponsibilities

Russian

Если вам или ухаживающему за вами нужен переводчик, пожалуйста, уведомите своего медицинского работника. Перевод данной брошюры имеется на веб-сайте по здравоохранению в Южной Австралии www.sahealth.sa.gov.au/yourrightsandresponsibilities

Spanish

Si usted o su cuidador necesitan un intérprete favor de avisar a su profesional de salud. La traducción de este folleto se encuentra disponible en el sitio Web de SA Health www.sahealth.sa.gov.au/yourrightsandresponsibilities

Somali

Haddii adiga ama qofka aad xanaanaysaa aad u baahataan turjubaan fadlan u sheeg shaqaalahaaga caafimaadka. Buugan oo turjuman waxaad ka helaysaa shabakada caafimaadka koonfurta ustaraaliya www.sahealth.sa.gov.au/yourrightsandresponsibilities

Swahili

Ikiwa wewe au mlezi wako mnahitaji mkalimani tafadhali mfahamishe mtoaji huduma wako wa afya. Tafsiri ya kijitabu hiki kinapatikana katika tovuti ya SA Health www.sahealth.sa.gov.au/yourrightsandresponsibilities

Tagalog

Kung kailangan mo o ang iyong tagapag-alaga ng isang interprete, makipag-ugnayan sa tagabigay ng kalusugang pangangalaga. Isang libritong nakasalin-wika ay makukuha sa websayt ng Kalusugang SA (SA Health)
www.sahealth.sa.gov.au/yourrightsandresponsibilities

Tamil

உங்களது கவனிப்பிற்குப் பொறுப்பாக இருக்கும் உடல்நலத் தொழிலர்களுடன் கதைப்பதில் உங்களுக்கோ அல்லது உங்களது கவனிப்பாளருக்கோ உதவி தேவைப்பட்டால் மொழிபெயர்ப்பாளர் ஒருவரை ஏற்பாடு செய்யுமாறு பணியாளர் ஒருவரை நீங்கள் கேட்கலாம். இச் சேவை உங்களுக்குக் கட்டணம் ஏதுமின்றி வழங்கப்படும். மொழிபெயர்க்கப்பட்டுள்ள இந்த நூலை www.sahealth.sa.gov.au/yourrightsandresponsibilities எனும் வலைத்தளத்தில் நீங்கள் காணலாம்.

Vietnamese

Nếu quí vị hoặc người chăm sóc cho quí vị cần thông dịch viên xin hãy báo cho nhân viên cung cấp dịch vụ chăm sóc sức khỏe biết. Bản phiên dịch của tài liệu này được phổ biến trên Địa Chỉ Liên Mạng của Bộ Y Tế Tiểu Bang Nam Úc www.sahealth.sa.gov.au/yourrightsandresponsibilities

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Commitment to care and service

SA Health is committed to providing a positive experience for all people accessing its health and community services. To achieve this we want to provide you with services that promote person-centred care that is coordinated and respectful of your rights and dignity.

We are committed to provide safe, high-quality healthcare services and value feedback from patients, consumers, families, carers, supporters of individuals, and the community.

This could be a compliment, complaint, suggestion, or advice. Raising any concerns or issues directly with the health unit / service providing services to you, helps ensure a quick resolution.

Talk to a staff member to find out how to provide feedback to the health care service.

A consumer information sheet titled “Your feedback is important” outlines the process and health services contact details, and is available at www.sahealth.sa.gov.au/feedback.

If you, your family or carer have any questions or concerns or need help to understand what is being said, so you can make an informed decision please ask any of your health care team. An interpreter, can be arranged if needed.

Your feedback helps us improve our services by identifying what is working well, or how we could do things better. Refer to section 8 - Comment on page 27.

The Consumer, Carer and Community Feedback and Complaints Management Strategic Framework, Guide and Resources reinforces our commitment and is available at www.sahealth.sa.gov.au/feedback.

If you are not happy with the health care service response you can contact:

Health and Community Services Complaints Commissioner (HCSCC)
Telephone: (08) 7117 9313 or 1800 232 007
Website: https://www.hcscc.sa.gov.au
Email: info@hcscc.sa.gov.au

Aged Care Quality & Safety Commission
Telephone on 1800 951 822
Website: https://www.agedcarequality.gov.au

National Disability Insurance Scheme (NDIS)
Telephone: 1800 800 110
Website: https://www.ndis.gov.au/contact/feedback-and-complaints-form

National Standards

Aged Care Standards

Organisations providing Commonwealth subsidised aged care services are required to comply with the Aged Care Quality Standards (Quality Standards). Organisations will be assessed and must be able to provide evidence of their compliance with and performance against the Quality Standards. The Quality Standards focus on outcomes for consumers and reflect the level of care and services the community can expect from organisations that provide Commonwealth subsidised aged care services.

Information on the Aged Care Quality Standards is available at: https://www.agedcarequality.gov.au/providers/quality-standards/about-quality-standards.

National Disability Insurance Scheme (NDIS) Practice Standards

The NDIS Practice Standards specify the quality standards that need to be met by registered NDIS providers to provide NDIS participant supports and services. Together with the NDIS Code of Conduct, the NDIS Practice Standards build NDIS participants' awareness of what quality service provision they should expect from registered NDIS providers.

Information on the NDIS is available at: https://www.ndiscommission.gov.au.

National Safety and Quality Health Service (NSQHS) Standards

The National Safety and Quality Health Service (NSQHS) Standards were developed by the Australian Commission on Safety and Quality in Health Care with the Australian Government, state and territory partners, consumers and the private sector. The primary aim of the NSQHS Standards is to protect the public from harm and improve the quality of healthcare.

Information on the National Safety and Quality Health Service (NSQHS) Standards is available at: https://www.safetyandquality.gov.au/standards/nsqhs-standards.

Charter of Rights

Health and Community Services Complaints Commissioner Charter of Rights

The Health and Community Services Complaints Commissioner's Charter of Health and Community Services Rights sets out your rights, and those of your family members, carers or the people who you have chosen to act on your behalf. We seek to improve our services by ensuring that your rights are appropriately addressed.

Health and Community Services Complaints Commissioner (HCSCC) Charter of Rights values:

- Access
- Safety
- Quality
- Respect
- Information
- Participation
- Privacy
- Comment

Information on the HCSCC Charter of Rights is available at: www.hcscc.sa.gov.au

Australian Charter of Healthcare Rights

The Australian Charter of Healthcare Rights values:

- Access
- Safety
- Respect
- Partnership
- Information
- Privacy
- Give feedback

Information on the Australian Charter of Healthcare Rights is available at: https://www.safetyandquality.gov.au/our-work/partnering-consumers/australian-charter-healthcare-rights.

South Australian Carers Charter

The SA Carers Charter is a schedule of the *Carers' Recognition Act 2005* and sets out the principles that must guide service for carers:

- Carers have choices within their caring role
- Carers' health and wellbeing is critical to the community
- Carers play a critical role in maintaining the fabric of society
- Service providers work in partnership with Carers
- Carers in Aboriginal and Torres Strait Islander communities need specific consideration
- All children and young people have the right to enjoy life and reach their potential
- Resources are available to provide timely, appropriate and adequate assistance to Carers.

Information on the SA Carers Charter is available at: https://www.sa.gov.au/topics/care-and-support/carers/carers-rights-and-legislation.

Aged Care Act 2024 and Aged Care Rules 2025

Aged Care Act 2024 provides for the delivery of funded aged care services to individuals under the Commonwealth aged care system. The services are included in the aged care service list and grouped into service types which are delivered through service groups.

The Statement of Rights and the Statement of Principles underpin the system and are aimed at ensuring quality and safe care for individuals.

Information on the *Aged Care Act 2024* is available at:
https://www.legislation.gov.au/C2024A00104

Statement Of Rights

Independence, autonomy, empowerment and freedom of choice

I have the right to make my own choices - about my care, relationships, lifestyle and taking risks - with support if I want it.

Equitable access

I have the right to have needs assessed in a way that works for me including having my cultural background, past trauma or cognitive conditions such as dementia, respected.

Quality and safe funded aged care services

I have the right to be treated with dignity and respect by experienced aged care workers who value my identity, culture, spirituality and diversity.

Respect for privacy and information

I must have my privacy respected and my personal information kept confidential, and be in control of who this information is shared with.

Person-centred communication and ability to raise issues without reprisal

I have the right to be informed in a way I understand and to raise concerns without fear of reprisal. My feedback must be dealt with fairly and promptly.

Advocates, significant persons and social connections

I can stay connected to important people, pets and culture including independent advocates. As an Aboriginal or Torres Strait Islander I can stay connected to Country and Island Home.

If you have any feedback including compliments or complaints about your service delivery, please provide them to your service provider through their feedback system.

If you are not satisfied with their response then you can lodge a complaint with the Aged Care Quality and Safety Commission as the national regulator of Commonwealth funded aged care services by telephone on 1800 951 822.

Information is available at: https://www.agedcarequality.gov.au

Safeguarding the rights of older South Australians

The Office for Ageing Well aims to safeguard the rights of older South Australians, tackle ageism and prevent and address abuse and mistreatment.

Information is available at: https://dhs.sa.gov.au/how-we-help/ageing-well/ageing-well-strategy-for-south-australians/future-directions-to-safeguard-the-rights-of-older-south-australians

NDIS Participant Rights

NDIS participants have the right to be safe and to receive quality services from the providers and workers they choose to support them under the NDIS.

The NDIS Commission aims to uphold the rights of people with disability, including the right to dignity and respect, and to live free from abuse, exploitation, and violence. This is in keeping with Australia's commitment to the United Nations Convention on the Rights of Persons with Disabilities.

Information on the rights of NDIS participants and Code of Conduct are available at: https://www.ndiscommission.gov.au/participants/your-rights-ndis-participant.

Mental Health Statement of Rights

SA Health has developed five (5) Statement of Rights pamphlets for mental health patients, Carers and families. These are available at https://www.chiefpsychiatrist.sa.gov.au/legislation/mental-health-act/statements-of-rights.

Translations of the Statements of Rights are available at https://www.sahealth.sa.gov.au/wps/wcm/connect/Public+Content/SA+Health+Internet/Conditions/mental+health/Mental+health+advocacy+legislation+and+rights/Your+rights+as+a+mental+health+patient/Community+Treatment+Order+rights.

SA Health also values and is committed to:

- The National Mental Health Statement of Rights and Responsibilities https://www.sahealth.sa.gov.au/mental+health+statement+of+rights

Children and Young People

- Charter of Rights for Children and Young People in Care https://gcyp.sa.gov.au/charter-of-rights/
- Children and Young People's Rights in Healthcare Services https://children.wcha.asn.au/collaborate/partnering-with-children-young-people-families/rights-of-the-child-in-healthcare

Your responsibilities

Your health care and how you can help

Good health care is best achieved in partnership between you and the health care staff providing your care.

To help us provide you with better care, it is in your interest to tell staff:

- if you require more information
- if there is anything you do not understand or
- if you require an interpreter

We encourage you to tell staff:

- your medical history and that of your family. This includes any problems, complications or bad reactions you have previously experienced.
- any treatment or any medication you are (or should be) taking including any supplementary, natural or alternative medicine.
- any change in your condition, including any problems you may have with any medication or treatment you are receiving, or if you are worried.
- any special needs you have, including those of cultural or religious importance or as a result of disability.
- follow your health care plan or let your health care professional know if you are unwilling to or unable to do so.

This information helps us to fully understand your needs and to give you the best care.

Your responsibilities are to be considerate of other patients and staff:

- Keep your appointments - if you are unable to keep an appointment advise the health care service as soon as possible to allow the appointment to be rescheduled.
- Be aware of the needs of other patients and their privacy.
- Acts of violence, swearing, threats or verbal abuse towards another patient, relative or staff member are unacceptable.
- Do not bring alcohol, illegal substances or weapons into any health care services
- Hospital and health service grounds are smoke-free zones at all times.

Charter of Health and Community Services Rights

1. Access – right to access health and community services

All South Australians have a right to access health and community services that meet their needs.

Health care is provided to all people based on an assessment of your condition and the urgency of the treatment you need.

SA Health has programs in place to assist groups of people that may experience difficulty in accessing services. For example, people with mental health needs, people with a disability, people with language and/or literacy barriers, speech or hearing impairment, people with differing cultural beliefs, and people who are frail. If you need assistance to access services, please discuss this with staff from your health service.

Elective surgery and waiting lists

If your condition is not life threatening, you may be put on a waiting list for elective treatment/surgery. Some community health and dental health services also have waiting lists. Information regarding waiting lists can be found at the elective surgery dashboard at https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/about+us/our+performance/our+hospital+dashboards/about+the+elective+surgery+dashboard/elective+surgery+dashboard.

You have the right:

- to know your expected waiting time
- to know if there is another health service where the wait would be shorter, or if there are other options for earlier or alternative treatment.

If your condition worsens, discuss this with your General Practitioner (GP).

Aboriginal Health Teams

Some hospitals and health services have Aboriginal Health Teams. You can ask staff if an Aboriginal Health Team or Aboriginal Health Liaison Officer is available.

They can help you with information about how the hospital works, what is going on, and give you information about arranging transport or accommodation.

When you leave the hospital they may be able to put you in touch with community health care workers, Aboriginal and Torres Strait Islander communities and Aboriginal Community Controlled Health Services, depending on what you need.

The Aboriginal Health Teams aim to assist all Aboriginal service users who require assistance, however a higher priority is given to Aboriginal and Torres Strait Islander people from rural and remote areas.

2. Safety – right to be safe from abuse

SA Health recognises that patients/consumers, carers, volunteers and workers all want health services that can be delivered and received without personal threat or risk.

Hospitals and health services are places of healing and care. We will do everything possible to keep you comfortable, safe and provide you with care that is compassionate, kind and relieving of distress:

- you have the right to be safe from harm and abuse
- you are entitled to have care provided in the least restrictive manner possible
- you have the right to receive care that minimises unintentional or accidental harm

Hospitals and health services are also workplaces.

Please be considerate of staff, other patients and visitors. Behaviour that threatens safety of staff or other patients, such as verbal or physical abuse, is not acceptable.

People who are behaving in an offensive or dangerous manner, can be asked to leave, or security and police may be called.

Please observe any warning signs and supervise children at all times.

Staff who deliver services to you at home have a right to work in a safe working environment. Prior to visiting you at home, staff will telephone you and do a safety check.

3. Quality – right to high quality services

SA Health is committed to ensuring the South Australian health care system is safe, reliable and of a high quality.

We do this by having policies, procedures and practices in place that meet our legal, professional, ethical, safety and quality standards.

SA Health continually reviews the way things are done to ensure safe and high quality care. We have highly trained staff and facilities to provide the best health services. You can expect that our health services will work together and your care will be co-ordinated to meet your needs.

4. Respect – right to be treated with respect

You have the right to be treated with respect, dignity and courtesy regardless of your age, gender, sexuality, religion or culture.

You have the right to have your wishes, beliefs and practices respected and reflected in the plan for your health care. Staff will respect your dignity.

You have the right to document your wishes in advance for health care treatment and for your decisions to be respected by those caring for you.

Your wishes can be documented through a legal Advance Care Directive document or informal Advance Care Plans.

Advance Care Directives

An Advance Care Directive enables you to make clear legal arrangements for your future health care, end of life, preferred living arrangements and other personal matters on a single Advance Care Directive Form.

An Advance Care Directive applies during any period of impaired decision-making capacity, which may be temporary or permanent.

Please tell health service staff if you have an Advance Care Directive and give a certified copy to the hospital admission team, to your doctor, and to your Substitute Decision-Maker(s).

For more information and to download an Advance Care Directive Form www.advancecaredirectives.sa.gov.au.

5. Information – right to be informed

You have the right to open, clear and timely communication about services, treatment options and costs in a way that you can understand.

As a patient, you or your health representative[1] can expect:

- to have all information given to you in a language/format you can understand
- to be told of any risks that you or a reasonable person in the same position would consider to be significant, and have those risks explained to you
- to be told which treatment your health professional recommends and any other appropriate alternatives so that you can make an informed decision about your health care
- to be given information about tests performed, including about risks, and to have the results and the implications of those results explained to you

1. A representative is an appointed decision Substitute Decision Maker, Person Responsible or a parent or guardian of a child.

- to know the purpose, benefits and possible side effects of the treatment and/or medications you are given
- to be given an explanation of the chances of success, the need for any further treatment, the likelihood of return to good health, recovery and rehabilitation requirements
- to be given a clear explanation of what happens if things go wrong or are not as you expected
- to change your mind, or refuse a test or treatment at any time and to be informed of the consequences of refusing a test or treatment
- to know if the treatment is experimental or being used in research
- to be consulted and provided with a discharge plan, prior to discharge, if your treating doctor is of the opinion that your condition no longer requires you to stay in hospital or another health service
- to be given information about local health services, special associations, aids, equipment and services, which may help you
- if your treating doctor is of the opinion that more appropriate care is available at another hospital or facility, that you may be transferred to that hospital or facility.

Public or private hospital patient

When attending a public hospital you have the right to elect to be treated as a public or private patient regardless of your private health insurance status. Staff will ask you to nominate your preference in writing.

You have the right to know what that decision means and the financial implications of your choice.

As a public patient you cannot choose your own doctor and will be treated by the doctor(s) and medical team assigned by the hospital. (Some health services including dental services and country emergency departments do have fees).

A patient with private health insurance can elect to be treated as a public patient.

As a private patient you will be treated by your nominated doctor(s), provided that the doctor has the authority to practise at that hospital and agrees to treat you as a private patient at that hospital. Private patients are responsible for the payment of all fees.

If you are not eligible for Medicare or are involved in a compensation claim alternative patient election and charging arrangements apply.

Fees and financial assistance

All Australian residents with a Medicare card are eligible to be treated free of charge as a public patient in a public hospital. In most cases, services throughout the South Australian public health system are provided free of charge to public patients. If you do have to pay any fees you will be told in advance and receive an account.

You may need to pay:

- a co-payment for medication provided to you by the hospital/health service
- if you are in hospital for longer than 35 days, for those days over 35
- for certain types of equipment necessary for your treatment.

If you elect to be treated as a private patient you will need to pay:

- fees for hospital accommodation
- fees for medical, diagnostic, prostheses and devices, aids and appliances and dental services.

These costs may be covered by your private health insurance fund, but you will need to discuss this with your insurer prior to being admitted to hospital.

Different fee arrangements apply for overseas visitors or temporary visa holders. You can check your eligibility with Medicare on phone 13 20 11 or AusHealth Phone: 1800 724 457 or email info@aushealth.com.au.

SA Ambulance Service

SA Ambulance Service provides emergency medical assistance, treatment and transport, non-urgent patient transport and high-quality patient care to the people of South Australia.

You may need to pay a fee for ambulance services. Ambulance costs are not covered by Medicare and ambulance services are unable to advise you of this fee prior to providing transport.

Check with your private health insurance fund, as they may cover the cost of an ambulance.

If you require an ambulance when you are discharged from hospital you will be asked to cover the associated fees.

Persons placed under an involuntary treatment order or Section 56 of the *Mental Health Act 2009* may have their SA Ambulance Service fee paid by the Local Health Network.

SA Ambulance Service does provide ambulance insurance cover to assist with fees. More information is available at https://saambulance.sa.gov.au or phone: **1300 13 62 72**.

To contact the SA Ambulance Service in the event of an emergency phone **000**.

Patient Assistance Transport Scheme (PATS)

The Patient Assistance Transport Scheme (PATS) is a subsidy program that provides money to pay for some travel, escort and accommodation costs when South Australians living in rural or remote areas travel over 100 kilometres to see their nearest treating specialist. To receive a PATS subsidy you need to:

- check with your local PATS office that you are eligible for assistance
- ask your local PATS office to send you the application form or download one from the website.

Information and contact details for your local PATS office are available at www.sahealth.sa.gov.au/PATS or phone **1300 341 684** or email PATS@sa.gov.au.

6. Participation – right to actively participate

When making decisions or providing your consent about your care, tests and treatment you have the right to:

- be involved in all decisions about your care and ask questions so you understand what may happen
- prepare for your medical appointment by creating a list of questions to ask your doctor. Question builder is available at https://www.healthdirect.gov.au/question-builder
- be given time to think and discuss your health care and treatment options with your family, friends, carers or Substitute Decision-Maker[2]
- seek a second opinion and/or information about your diagnosis and treatment options
- be given an explanation of the possible consequences of not taking the advice of the health professional
- appoint a Substitute Decision-Maker to make decisions for you when you are unable to
- be supported to make a decision about your care or treatment if you are capable of making a decision. If you are not capable of making a decision, your Substitute Decision-Maker or Person Responsible[3] will be contacted if they are available and willing to make a decision on your behalf
- refuse life prolonging treatment and receive palliative care instead
- refuse to participate in medical research or experiments
- discharge yourself from the health service at any time at your own risk except if you are subject to a community or a patient treatment order under the *Mental Health Act 2009* or you are required to stay in a hospital for treatment because you are on a section 32 order under the *Guardianship and Administration Act 1993* from the South Australian Civil and Administrative Tribunal (formerly the Guardianship Board).

2. A Substitute Decision-Maker is a person or persons you trust to make decisions for you when you are unable to.
3. A Person Responsible is a family member, close friend or a culturally acceptable person from the same community.

Consent

You may be asked to sign a consent form acknowledging that you have consented to medical treatment or a test and that these have been explained to you. It is the responsibility of your health professional to determine if you are capable of consenting to medical treatment, or health care.

In some circumstances, emergency medical treatment may be given without your consent, if there is an imminent threat to your life or health.

This may be the case, unless you have previously indicated that you refuse consent to that treatment or there is a representative available, at the time, to give consent on your behalf for the emergency medical treatment.

Students

Medical, nursing and allied health students are often present or may provide treatment under supervision in public hospitals and health services with your consent. This is an important part of their education.

Mental health consumers

All consumers have the same rights to treatment and care regardless of their health care concern or condition.

If you are subject to a Community Treatment Order or an Inpatient Treatment Order under the *Mental Health Act 2009*, you can be given treatment without your consent.

Treatment should be the least restrictive option for the shortest period of time that is appropriate. It should be recovery-focused and take into account any wishes you have made through an Advance Care Directive or Ulysses Agreement.[4]

Your Substitute Decision-Maker or Person Responsible can make decisions if you are not able to.

4. A Ulysses Agreement is a plan developed by family and relevant mental health professionals regarding the care of children, for when the parent becomes unwell as result of mental illness.

Lived Experience Workers in Mental Health Services

Lived Experience Workers are people who have been mental health patients/consumers or their carers. Lived Experience Workers are available in all mental health acute care units and can assist you, your family and friends by providing information and support.

Children

As a parent[5] or guardian of a child, you have the right to make decisions on behalf of your child. You can stay with your child in hospital and any health service, except where separation is necessary for medical emergencies or other medical reasons. Children also have the right to have their parents or guardians present.

As children get older (over 16 years of age) they have the right to be consulted and to make decisions on their own behalf. A health professional can administer medical treatment to a child under 16 if that child consents and the medical professional is satisfied that the child is capable of understanding the treatment, and another health professional supports that opinion.

5. This includes step parents, or adult/s who may be acting in loco parentis for the child which means that this person has day to day parental responsibilities for the child, for example grandparents caring for children on behalf of the child's parent/s.

7. Privacy – right to privacy and confidentiality

Your privacy and right to confidentiality will be respected at all times.

Information about you will be collected by SA Health to provide treatment and services.

Your information is stored securely and access to your information is restricted to those involved in your care.

You may refuse to provide some information, but this could impact on your care or treatment.

You have the right to request and have access to your health records, unless there is a legal restriction in place.

If you believe that information in your personal health record is incorrect, out-of-date or misleading, you can ask for the record to be amended. Check with health service staff about how to do this.

When your personal information may be shared

Health professionals can use your personal health record to communicate with each other about the care you are receiving. The *Health Care Act 2008* and the *Mental Health Act 2009* outline when information about you may be disclosed to other people or providers.

Your personal information may be shared with another health care service to arrange care for you when you leave hospital or transfer to another healthcare site.

Your personal information may be shared, with your consent:

- with your private health insurance fund or
- with a third party such as WorkCover or the Motor Accident Commission.

Sometimes SA Health may be required or authorised by law to disclose information about you to others without your consent. This may include when it is necessary to lessen or prevent:

- a serious threat to life
- child abuse
- domestic and family violence or
- to protect your wellbeing or/and the safety of others.

Using information to improve health services

SA Health may use information about your health care to improve health services, to plan for future services, or for research. If this occurs, the information used will not include any personal information that may identify you.

If you believe that your personal information has been unreasonably shared or accessed, you can discuss this with the health service, make a formal complaint with the health service, or make a complaint to the Health and Community Services Complaints Commissioner https://www.hcscc.sa.gov.au/.

Any deliberate or inappropriate access of your health records is taken very seriously. If this occurred, you would be contacted.

8. Comment – right to comment and/or complain

We are committed to provide safe, high-quality healthcare services and value feedback from consumers, supporters of individuals. Your feedback helps us improve our services by identifying what is working well, or how we could do things better.

This could be a compliment, complaint, suggestion, or advice. Raising any concerns or issues directly with the health unit/service providing services to you, helps ensure a quick resolution. Talk to a staff member to find out how to provide feedback to the health care service.

You have the right to:

- comment and ask questions about your health care and experience
- let us know if you think your health care is not going to plan
- have your concerns or complaints addressed properly and promptly be given an explanation and apology
- provide us with your suggestions.

How to give feedback to a health service:

- express your concerns by talking to a staff member looking after you at the health service
- you can telephone or write to the health service, or participate in a survey
- If you feel your concern has not been resolved, you can contact the Consumer Advisor (or so named) within the health care service. A consumer information sheet titled “Your feedback is important” outlines the process and health services contact details, and is available at www.sahealth.sa.gov.au/feedback.

Consumer, Carer and Community Feedback and Complaints Strategic Framework, Guide and Resources are available at www.sahealth.sa.gov.au/feedback.

We take all incidents and near misses seriously. We use them to learn how to improve care and avoid such incidents in the future. Any incidents involving you will be managed in an open and clear way.

If you are not happy with the response to your feedback you can contact independent complaints and advocacy organisations. These organisations include:

Health and Community Services Complaints Commissioner

An independent office that assists people (service users, carers and service providers) with complaints about health or community services in South Australia.
Monday to Friday 9.00am to 5.00pm
Phone **(08) 7117 9313** or Country toll free **1800 232 007**
www.hcscc.sa.gov.au

Community Visitor Scheme (CVS)

CVS plays an essential role in promoting the wellbeing, dignity, safety and rights of people living with a mental health condition from a mental health service, living with a disability in a state-run disability service or who are under the guardianship of the Public Advocate and participants in the National Disability Insurance Scheme (NDIS).

Phone **1800 606 302** or email cvs@sa.gov.au. Further information is available at https://communityvisitorscheme.sa.gov.au

Office of the Public Advocate

An independent agency that advises, assists and advocates for people with impaired decision-making capacity, and helps resolve disputes about healthcare decisions.
Phone: **08 8342 8200** or Country toll free **1800 066 969**
www.opa.sa.gov.au

Appeals

You have the right to seek mediation through the Office of the Public Advocate if there is a dispute about an Advance Care Directive or the provision or refusal of medical treatment or healthcare.

For urgent after hours cases contact the Office of the Public Advocate on phone: **(08) 8378 3333**.

You have the right to appeal to the South Australian Civil and Administrative Tribunal (SACAT) (formerly the Guardianship Board), if you are on a *Mental Health Act 2009* Community or Inpatient Treatment Order, or a Section 32 Order under the *Guardianship and Administration Act 1993* and you are dissatisfied with the order.

You have the right to appeal a decision of the SACAT in the District or Supreme Court subject to the *Guardianship and Administration Act 1993*.

SACAT can be contacted on **1800 723 767**
or email sacat@sacat.sa.gov.au.
Further information is available at www.sacat.sa.gov.au.

Your Rights and Responsibilities forms the Public Patients' Hospitals Charter, as defined under the National Health Care Agreement between the South Australian and Commonwealth Governments.

Further copies of this booklet can be obtained from:

For Hospitals and Health Services:
SA Health Distribution Centre
Email: healthPSCMSCOCustomerService@sa.gov.au

For more information contact:

Safety and Quality Unit
SA Health
Email: Health.DHWClinicalGovernanceEnquiries@sa.gov.au

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This document has been reviewed and endorsed by SQCAG* for consumers and the community.

Interpreter

BY NC ND

www.ausgoal.gov.au/creative-commons

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*SA Health Safety and Quality Community Advisory Group.

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SA Health