

Patient rights

Federal Law of November 21, 2011 N 323-FZ "On the basis of protection the health of citizens in the Russian Federation "(as amended and additions)

Chapter 4. Rights and duties of citizens in the field of health

Article 18. Right to health

1. Everyone has the right to health.
2. The right to health is provided by the environment, the creation of safe working conditions, favorable working conditions, living conditions, recreation, education and training of citizens, production and sales products of adequate quality food, high-quality, safe and available drugs, as well as rendering accessible and quality health care.

Article 19. Right to health care

1. Everyone has the right to health care.
2. Everyone has the right to health care in the guaranteed amount, provided free of charge in accordance with the program state guarantees of free medical help citizens assistance as well as to receive paid medical services and other services, including in accordance with the contract of voluntary medical insurance.
3. The right to health care of foreigners who live and residing in the territory of the Russian Federation shall be established Russian legislation and the relevant Russia's international agreements. Stateless persons,

permanently residing in the Russian Federation have the right to medical care on a par with citizens of the Russian Federation, if the otherwise stipulated by international treaties of the Russian Federation.

4. The procedure for the provision of medical assistance to foreign nationals determined by the Government.

5. The patient has the right to:

1) choice of a doctor and a choice of medical organization in accordance with the present Federal Law;

2) prevention, diagnosis, treatment, medical rehabilitation medical institutions in conditions that meet sanitary-hygienic requirements;

3) receipt of advice of medical specialists;

4) relief of pain associated with the disease and (or) health intervention available methods and drugs;

5) to obtain information about their rights and responsibilities, the status of their health, the choice of persons to whom the benefit of the patient can be transferred Information about the state of his health;

6) providing clinical nutrition in the case of a patient treated at finding stationary conditions;

7) protection of information constituting professional secrecy;

8) the refusal of medical intervention;

9) compensation for damage caused to health by providing it health care;

10) Access to a lawyer or his legal representative to defend their rights;

11) cleric tolerance thereto, in the case of the patient in finding treatment in a hospital - to provide conditions for worship, conduct which may in steady-state conditions, including the provision of separate premises, if it does not violate the internal rules of the medical organization.

Article 20. The informed consent to medical intervention and to refuse medical intervention

1. The prerequisite for medical intervention

Dacha is informed and voluntary consent of the citizen or his legal representative to medical intervention on the basis of provided by a health care provider in an accessible form the full information about the aims, methods of medical care associated with risks, possible options for medical intervention, his consequences, as well as the expected outcome of medical help.

2. The informed consent to medical intervention

It is giving one of the parents or a legal representative in respect of:

1) persons who have not attained the age specified in subsection 5

Article 47 and paragraph 2 of Article 54 hereof, or a person,

recognized in the legally incompetent manner, if such

person in their state is not able to give consent to medical intervention;

2) a juvenile patient in providing addicts him

drug treatment or medical examination

a juvenile in order to establish the state of narcotic or other toxic substances (except established the legislation of the Russian Federation purchase cases minors full capacity until they reach eighteen years of age).

3. A citizen of one of the parents or other legal representatives, referred to in paragraph 2 of this Article shall have the right to refuse medical treatment or to demand its termination, for Except as specified in part 9 of this article.

The legal representative of a person found in statutory incompetent manner by the said right if such a person in their state is not able to give medical intervention.

4. In case of refusal of medical intervention citizen, one of the parents or other legal representative of a person referred in Part 2 of this article, in the form accessible to him should be explained the possible consequences of such refusal.

5. When one of the parents or other legal representative of the person, specified in paragraph 2 of this article, or legal representative of the person, From recognized in the established procedure incapacitated medical intervention necessary to save his life, medical organization has the right to apply to the court for protection the interests of that person. The legal representative of a person found in statutory incompetent manner, notify the agency of guardianship and guardianship of residence of the ward to waive medical

intervention necessary to save the life of the ward, not later days following the date of such refusal.

6. Persons referred to in paragraphs 1 and 2 of this article, for primary health care when choosing a doctor and medical organization for a period of their choice give voluntary informed consent to certain types of medical intervention that included in the list established by the authorized federal executive authority.

7. informed consent to medical intervention or refuse medical intervention shall be in writing, signed by a citizen of one of the parents or other legal representative, a medical professional and is contained in the medical patient documentation.

8. Procedure cottages informed consent to medical intervention and non-interference with the medical certain medical intervention form informed consent to medical intervention and the form of non-medical interventions are approved authorized federal executive body.

9. Medical intervention without the consent of the citizen, one of the parents or other legal representative is allowed:

1) if medical intervention is necessary for emergency indications to eliminate the threat to human life and if his condition does not allow express their will or no legal representatives (in respect of persons referred to in paragraph 2 of this article);

2) in relation to persons suffering from diseases that are danger to others;

3) with respect to persons with severe mental disorders;

4) persons who have committed socially dangerous acts (Offense);

5) during forensic and (or) a forensic examination.

10. The decision on medical intervention without consent of the citizen, one a parent or other legal representative accepted:

1) in the cases specified in paragraphs 1 and 2 of Part 9 of this article - the council of physicians, and if it is impossible to assemble a council - directly treating (on duty) a doctor with the introduction of such a decision in the patient's medical records and the subsequent notification

Officials medical institution (head of the medical the organization or the head of the medical department of the organization) citizen, for which medical intervention is carried out, a parent or other legal representative of a person who specified in Part 2 of this article and in respect of which held medical intervention;

2) in respect of the persons referred to in paragraphs 3 and 4 of Part 9 of this article - the court in the cases and in the manner established by the legislation Russian Federation.

11. The persons who have committed crimes, can be applied compulsory medical measures on the grounds and in the manner established by the federal law.

Article 21. The choice of doctor and medical organization

1. In the provision of medical care in the program Citizen state guarantees of free medical help citizens help, he has the right to choose the medical organization in order approved by the authorized federal executive body power, and to choose a doctor based on the doctor's consent. Features choice of medical organization citizens living in closed administrative-territorial entities, on a territory hazardous to human health physical, chemical and biological factors included in the relevant list, and as employees of organizations listed entities individual industries with particularly hazardous conditions, established by the Russian Government.

2. For primary health care citizen

selects a medical organization, including territorialnouchastkovomu principle, no more frequently than once a month (except in cases change of residence or place of stay of the citizen). AT selected medical organization citizen chooses not more often than once a year (except as a substitute for medical organization) Physician, Physician of the district, a pediatrician, The district pediatrician, general practitioner (family doctor) or paramedic by submitting an application in person or through a representative to the name of the head of the medical organization.

3. Provision of specialized primary health care carried out:

1) in the direction of a therapist of the district, the district pediatrician, general practitioner (GP), medical assistant, medical specialist;

2) in the case of self-treatment of citizens in the health organization, including the organization selected by it in accordance with part 2 of this article, taking into account the orders of medical help.

4. For specialized medical care in a planned form of choice of medical organization carried out in the direction of the attending physician. If in the implementation of the territorial programs state guarantees of free medical help citizens assistance involving several medical organizations, providing medical care for the correct profile, the attending physician must inform the citizen of the possibility of choice medical organization taking into account performance of rendering conditions health care, established a territorial program state guarantees of free medical help citizens help.

5. Medical care in emergency or urgent form is citizens based on compliance to its terms provision.

6. Care for the citizen in the framework program state guarantees of free medical help citizens By selecting a medical institution (except in cases of ambulance) outside the territory of the subject of the Russian Federation, which is home to the citizen, shall be as established by the authorized federal executive body authorities.

7. When choosing a doctor and medical organization has the right to receiving information in an accessible form for him, including placed in the information and telecommunication network "Internet" (Hereinafter - the "Internet" network), a medical organization, on ongoing its medical activities and about doctors, about the level of their education and qualifications.

8. Choosing a doctor and medical organization, and military officials, equated with medical support to the military, citizens undergoing alternative civilian service, citizens to be called up for military service or sent to alternative civilian service, and citizens coming to military service under contract or other similar service, as well as detainees in pretrial detention, serving sentences in the form of restriction of freedom, arrest, imprisonment or administrative the arrest is carried out taking into account the peculiarities of medical assistance provided for in Articles 25 and 26 hereof.

Article 22. Information on the health status

1. Everyone has the right to receive in the form available in accessible for him medical organization information about their health, including information about the results of the medical examination, the presence of diseases of the diagnosis and the prognosis of the disease, methods of care, associated risks, possible types of medical intervention, its impact and results care.

2. Health information provided to the patient personally

the attending physician or other health professionals, decision directly involved in medical examination and treatment. AT for persons who have not attained the age specified in Part 2 Article 54 of the present Federal law, and citizens recognized prescribed by law incapable, state information health provided to their legal representatives.

3. Information on the state of health can not be provided to the patient against his will. In case of unfavorable development of the disease prognosis Information should be communicated in a delicate form of a national or the spouse (wife), one of the close relatives (children, parents, adoptees, adoptive parents, brothers and sisters, family, grandchildren, grandparents), if the patient is not forbidden to tell them about it and (or) otherwise determined by the person who is to be transferred to such information.

4. The patient or his legal representative has the right to directly acquainted with the medical documentation that reflects the state of its health, and to receive on the basis of such documentation in consultation other professionals.

5. A patient or his legal representative has the right on the basis of receive a written statement reflecting the state of health medical records, copies and extracts from medical records.

The grounds, procedure and terms of medical documents (their copies) and extracts from them are established by the authorized federal executive authority.

Article 23. Information on factors that affect health

Citizens have the right to receive accurate and timely

information about the factors that contribute to maintaining health or rendering it harmful influence, including information about welfare sanitarneoepidemiologicheskoy area of residence, state of the environment habitat, rational nutrition standards, quality and safety products for industrial use, food, goods for personal and household needs, potential health hazards human work performed and services rendered. such information provided by public authorities and local authorities in accordance with their powers, as well as organizations in the manner prescribed by the legislation of the Russian Federation.

Article 24. Rights of workers employed in certain types of work, to protection health

1. In order to protect health and preserve ability to work, prevention and early detection of professional

Disease employees engaged in work with harmful and (or) dangerous production factors, as well as in the cases provided Russian legislation, workers working on individual types of work, are mandatory medical examinations.

2. The list of harmful and (or) safety hazards and works under which there is a compulsory preliminary medical examination upon employment and periodic medical examinations, approved by the authorized federal executive authority.

3. In the case of detection during the mandatory medical examinations medical contraindications to the implementation of certain types of work, the list of which is established by the federal body

the executive, the employee may be considered medical commission
medical organization on the basis of the examination results
professional fitness, temporarily or permanently unfit for
health to perform certain types of work.

4. In order to protect the health employers have the right to enter into the state of
post

health workers and create divisions (doctor's office,
health center, medical office, medical and other part
units), providing medical assistance to workers
organization. The order of organization of such units and
health workers is established by the Federal
executive authority.

5. Employers must provide conditions for the passage of
employees of medical examinations and clinical examination, as well as
freely let go of workers for their passage.

Article 25. Rights of servicemen and persons equated on health
provide to the military, as well as citizens who
alternative civilian service of citizens to be called up
military service (sent to alternative civilian service), and
citizens entering military service or other similar service
under the contract, to health

1. Military personnel and persons equated with medical support to
military personnel (hereinafter - military personnel and persons equated to them),
and
as citizens performing alternative civilian service have
the right of passage of military medical examination to determine the

fitness for military service or other similar service, and for early discharge from military service or other similar service based on the conclusion of the military-medical commission.

2. Citizens to be called up for military service or sent to alternative civilian service, and citizens entering military service or other similar service under the contract, are medical examination in order stipulated by Article 61 hereof, and have the right to receive complete information about the medical contraindications for military service or other similar service and indications for deferment or exemption from military service for health.

3. Military personnel and related persons have the right to receive medical care in departmental health organizations and in their the absence or in the absence of the medical organizations in departmental offices of the relevant profile, specialists or special medical equipment - to health care in order, established by the Government of the Russian Federation, due to budgetary Federal budget appropriations provided for this purpose federal executive bodies, in which the federal the law provides for military service or service equal to it.

4. The procedure of medical care to military personnel and persons equated to them established by the Government of the Russian Federation, especially the organization of health care military personnel and persons equated to them, including the order in which they

exemption from military service (service obligations) due to illness and other reasons, are established federal executive bodies, in which the federal the law provides for military service or service equal to it.

5. Citizens in the formulation of their military registration, or call admission military service or other similar service under the contract, admission to the military educational institutions of vocational education, calling for military training, as well as citizens, directed to alternative civilian service, are entitled to receive medical care in health care organizations in the program state guarantees of free medical help citizens assistance, except for a medical examination in order to determining fitness for military service or other similar service.

6. Features of military health care, and equal to them persons, as well as military service or certain categories of citizens service equal to it in the federal bodies of executive power, in which military service is stipulated by federal law or service equal to it, defined by the legislation of the Russian Federation governing the activities of these bodies.

Article 26. Rights of persons arrested, detained, serving penalty of restriction of liberty, arrest, imprisonment or administrative detention, to receive medical care

1. The persons arrested, detained or serving sentences in restriction of freedom, arrest, imprisonment or administrative detention are entitled to health care in

including, where appropriate, in medical institutions
public health and municipal systems
health, in accordance with the legislation of the Russian
Federation.

2. Pregnant women, women in childbirth and the postpartum period
the number of persons referred to in paragraph 1 of this Article shall have the right
to
health care, including health care organizations
maternal and child health.

3. If unable to care in institutions
criminally-executive system of the person taken into custody or
serving a sentence of imprisonment, have the right to provide
medical care in public health institutions
health care and municipal healthcare system, and
also invited to consult medical specialists
specified medical organizations in the manner prescribed
Russian Federation Government, within the budget
the federal budget provided for this purpose the federal body
executive in charge of the law enforcement functions,
functions of control and supervision in the field of penal in
against convicted.

4. When providing medical care in health care organizations
public health and municipal systems
Health staff bodies and institutions ugolovnoispolnitelnoy system is the protection
of the persons referred to
in part 3 of this article and, if necessary, room

monitoring to ensure the safety of such persons, medical employees and other persons in medical institutions state and municipal health care systems, in order, established by the federal body of executive power, carrying out functions on development and implementation of state policy and normative legal regulation in the sphere of execution criminal penalties, together with the authorized federal body executive power.

5. Testing of new methods of prevention, diagnosis, treatment, medical rehabilitation, as well as drugs, specialized clinical nutrition products, medical devices and disinfectants involving as a target for these purposes the persons referred to in paragraph 1 of this Article is not allowed.

6. With regard to persons who are serving in ugolovnoispolnitelnoy system institutions, an agreement on voluntary health insurance is terminated.

7. The procedure for the organization of health care, including medical institutions of the state and municipal systems health, the persons referred to in paragraph 1 of this Article, established by the RF legislation, including normative legal acts of authorized federal executive authority performing functions of generation and implementation of the state policy and normative legal regulation in the area of execution of criminal sanctions, in coordination with the authorized federal executive body.

Article 27. The duties of citizens in the field of health

1. Citizens must take care to maintain their health.
2. Citizens in the cases provided for by the legislation of the Russian Federation are required to undergo medical examinations, and the citizens, suffering from diseases that are a danger to others, in cases stipulated by the Russian legislation, We are required to undergo a medical examination and treatment, as well as to engage in prevention of these diseases.
3. Citizens who are on treatment are required to adhere to treatment, in including some for the period of temporary incapacity, and rules of behavior of the patient in medical institutions.

Article 28. Public associations for the protection of the rights of citizens in the field of health

1. Citizens have the right to form associations for the protection of rights in the field of health protection of citizens formed a voluntary basis.
2. Public associations for the protection of the rights of citizens in the field of Health may in the Russian legislation order to participate in the development of rules and regulations in the field of health and issues related to the violation of these rules and regulations.
3. Public associations for the protection of the rights of citizens in the field of Health does not have the right to advertise specific trade medical products, biologically active additives, medical devices, specialized health food and Breast-milk Substitutes.