



Centre Hospitalier
de Luxembourg

THE RIGHTS AND DUTIES OF PATIENTS



CHL
accredited
by **Joint
Commission
International**



At the Centre Hospitalier de Luxembourg, all staff members share the value of respect and are fully focused on the needs of patients

PATIENT RIGHTS



The rights and duties of patients include the essential elements of the Law of 24 July 2014 on the rights and duties of patients and the internal regulations of the CHL.

› Access to healthcare

Healthcare shall be provided efficiently and in accordance with scientifically acquired data and in compliance with the legally required standards of quality and safety. (Art.4)

The patient has the right to request a second opinion from a doctor.

› Mutual respect, dignity and loyalty

The patient has the right to privacy, confidentiality, dignity and respect for their religious and philosophical beliefs. (Art. 3)

› Quality

Healthcare shall be provided efficiently and in accordance with scientifically acquired data and in compliance with the legally required standards of quality and safety. (Art.4)

› Free choice in terms of healthcare service provider

Each patient has the right to freely choose the healthcare service provider that they wish to be responsible for delivering their healthcare service, while respecting

the imperatives of organising the healthcare service. The patient may change their healthcare service provider at any time. (Art. 5)

In emergencies and during on-call periods, the choice of service provider shall be limited to the doctors present or on call.

› Patient assistance

Patients are entitled to be assisted by a third party whom they are free to choose (the 'person assisting the patient') to help them with their healthcare procedures and decisions. This may or may not be a healthcare professional. The healthcare professional is however free to decide at any moment to change places with a colleague without the person assisting the patient being present. (Art. 7)

› Patient information

The patient has the right to information relating to their state of health and its probable progression (Art. 8). The patient may wish to remain in ignorance of a diagnosis, prognosis or information relating to their state of health or its probable development. The patient must express this wish to the healthcare professional, who must respect it, unless legal exceptions exist.

› Informed consent

The patient shall take decisions concerning their health together with the healthcare professionals.

Healthcare cannot be delivered to a patient unless the patient has given their prior free and informed consent, after having received adequate information.

It must be given in writing for the following interventions and procedures/high-risk treatments:

Interventions and procedures:

- › Anaesthesia: general or local
- › Sedation: for endoscopy, imaging examinations, changing dressings, inserting a central catheter, dentistry
- › All surgical procedures
- › Gynaecology and obstetrics procedures: Caesarean sections, surgery, outpatient hysteroscopy Elective abortion (consent for surgical procedure and legal document), medical abortion (consent for foeticide), foetal medicine acts: amniocentesis-trophoblast-cordocentesis
- › Medically assisted reproduction: stimulation and puncture
- › Interventional radiology
- › Paediatric radiology: MRI and scan with injection, cystography
- › Endoscopies: diagnostic or therapeutic
- › Immunology: Reintroduction tests and desensitising protocols (immunology/allergology)

- › Cardiology: Pharmacological stress tests (diagnostic ultrasound, MRI, computed tomography), transesophageal echocardiography
- › Thyroid fine needle biopsy

High-risk treatments:

- › Blood product transfusion
- › Chemotherapy
- › Iodotherapy
- › Immunotherapy
- › Dialysis
- › Autograft and plasmapheresis

Specific fields (specific forms):

- › Research
- › Organ, tissue, cell harvesting with a view to transplant (living donor)
- › Genetic testing

› Referral from a doctor

If the patient has not yet made their attending doctor at the CHL aware of their referral from a doctor, they may ask the secretary to make note of it in their CHL patient file.

› Patient file

The patient file includes medical, care and administrative sections and includes all relevant information regarding the patient's state of health during treatment.

The right to access and request to be made aware of el-

ements from the patient file is exercised in accordance with the legal provisions and CHL internal procedures.

This right is exercised through the secretariat of the relevant department or departments.

The patient has the right to have a copy of the patient's file or of elements of the file. (Art. 16(3))

If the patient wishes the copy of the file be given to a third party who is not a health professional, the patient must provide a specific mandate.

The hospital is obliged to keep patient records for 10 years.

› Data protection

The Director General is responsible for processing patient data for diagnostic and treatment purposes.

The patient has a right of rectification of their data and the option of lodging a complaint with the data protection officer (data-privacy@chl.lu).

› Information made available to family members or a third party

The patient can indicate the persons to whom the healthcare professionals may give information concerning their state of health.

› Contact person

The patient can provide the name of the person to contact in the event of hospitalisation.

› Patient incapable of expressing their wishes

Elderly patients can take measures in the event that they are no longer able to express themselves satisfactorily for legal purposes. These provisions apply in this particular case only.

› Trustworthy person

Any elderly patient can designate a trustworthy person, who may be a natural person, a healthcare professional or not. The designation shall be made in writing, dated and signed by the patient, and must be returned to the healthcare professional so that it can be appended to the patient file (the original document or a copy).

The trustworthy person shall act in the interests of the patient. (Art. 12)

› Professional secrecy

Professional secrecy is waived in respect of the accompanying party and trusted person.

Where a number of healthcare professionals are collaborating in a patient's care, they will keep each other mutually informed unless the patient formally objects. (Art. 8)

› Language

A patient who is not proficient in one of the official languages of Luxembourg (Luxembourgish, French, German) can be assisted by a person who is proficient in the language.

› Discharge

The patient can leave the establishment at any time. When a patient is discharged contrary to medical advice and there is a danger to the patient, the patient shall be asked to sign a certificate of discharge against medical advice, after having been informed of the risks of the discharge.

› Participation in a research project

For each participation in a biomedical research project, the patient must have been informed in advance and have signed a specific informed consent form. A patient can withdraw their consent at any time in accordance with the procedures provided on the consent form. Refusing to participate in a study will not affect the care that the patient receives. Patients can request information on current research at the CHL from their attending physician or consult the information on the internet (www.chl.lu).

› Advanced healthcare directive (palliative care)

Law of 16 March 2009 on palliative care, advance healthcare directive and end-of-life support.

The patient can express their wishes regarding their end of life, including the conditions, limitation and

cessation of treatment, pain management, as well as psychological and spiritual support in the advance healthcare directive.

The patient can hand this document over to the healthcare professional so that it can be appended to the patient file (either the original document or a copy).

› End-of-life provision (euthanasia and assisted suicide)

Law of 16 March 2009 on euthanasia and assisted suicide.

The patient can express their wishes in an end-of-life provision. The attending physician is not obliged to implement it.

The patient can hand this document over to the healthcare professional so that a copy can be appended to the patient file.

The original must be registered with the National Commission for Control and Assessment at the Ministry of Health, L-2935 Luxembourg.

Euthanasia and assisted suicide must be carried out in strict compliance with legal provisions.

› Dissatisfaction, grievances, complaints

In the event of any difficulty encountered during a consultation or a stay at the hospital, the patient can talk about it with the departmental staff, their attending doctor, the head of the healthcare unit or the head of the doctor's department.

The patient can also note their grievances in the hospital evaluation forms.

The patient can inform the CHL patient relations manager at General Management of their grievance, on tel.: 4411 3101 or via e-mail: relations-patient@chl.lu.

In the event of any disagreement concerning medical issues, they may ask that their complaint be handled by the CHL's medical mediator.

In order that a complaint can be handled appropriately by the CHL, the patient must give the patient relations manager a written mandate authorising the manager of the hospital establishment, complaints manager and any other employee duly delegated by the manager to request and obtain copies of all documents relevant to the handling of the file that has been brought to their attention, particularly medical, care or administrative documents from the patient file. The patient may obtain all useful information from social security bodies or other administrations.

› National information and healthcare mediation service

The patient may take their case to the National information and health mediation service, set up at the Ministry of Health. The patient may do this in writing or verbally. The patient must give a written mandate authorising this service to obtain copies of all documents relevant to the handling of the file that has been brought to their attention, particularly medical, care or administrative documents from the patient file. The patient may obtain all useful information from social security bodies or other administrations.

› Reporting a patient safety event directly to the Joint International Commission (JCI)

The CHL, accredited by the International Joint Commission (JCI), offers you the opportunity to report these situations directly to the JCI.

The JCI will review all complaints related to international standards to determine if they reveal potential non-compliance with these standards.

More information and procedures for contact via this QR code:



› Hospital ethics committee

The patient (or a member of their family, if they are no longer capable of expressing their wishes), may call upon the Hospital Ethics Committee (CEH) for help in making a decision each time that there are a number of possible therapeutic procedures available from a medical point of view and when these procedures raise ethical dilemmas. Requests for the CEH to intervene should be made to the medical and healthcare staff.

> The Shared Medical Record («DSP»)

What is the purpose of the shared medical record?

The purpose of the DSP is to facilitate the exchange and sharing of patient health data and information via a computerised file containing useful and relevant data that will enable better coordination, continuity and safety of care and better use of data.

Who can access your data for shared medical record?

Healthcare professionals in Luxembourg who can demonstrate a therapeutic link during your current and future treatment, within the limits of the restrictions that you have communicated to the eSanté agency.

Responsibilities?

The CHL is responsible for your care and for the documentation produced as part of your treatment.

The eSanté agency is responsible for data processing, set up as part of the DSP.

Whenever you visit the CHL, you can object to the transfer of your data to your DSP by notifying the reception desk of the respective healthcare facility. Your choice will then be valid only for the current admission.

If you do object to this data transfer, this will have no impact on your care.

Your rights?

Before your data is actually transferred to your DSP, you can still change your mind. To do so, notify the reception desk of the respective healthcare facility of your change of mind.

If you do change your mind after sending your data: you will still be able to exercise your rights by contacting the eHealth agency yourself on: +352 27.12.50.18.33.

How do you connect to your DSP?

To log in at any time, visit the eSanté website:

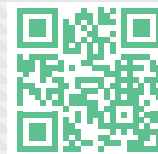
<https://www.esante.lu>

You can then consult the content of your record and, if you wish, limit access to the data contained therein.



Which documents are sent by the CHL to your DSP?

For a list of documents, please visit our website:



Want more information about your DSP?

- › Call: +352 27.12.50.18.33
- › Visit the DSP page on the eHealth website.



DUTIES OF THE PATIENT



The rights and duties of patients include, among other things, the essential elements of the law of 24 July 2014 relating to the rights and duties of patients and the internal regulations of the CHL.

› Admission

As soon as you are admitted to the hospital, the reception staff will take care of your admission and help you through the administrative procedures concerning your stay.

With this in mind, we ask that you bring the following documents to reduce your wait during your admission:

- An identity document with a photo (identity card, passport, driving licence)
- Proof of registration at a health fund, in particular:
 - › if you are signed up to a Luxembourg health fund (CNS, CMFEP, CMFEC, EMCFL): your valid health insurance card
 - › if you are a civil servant or statutory agent of the European Union: the admission form issued by your health fund (RCAM / BEI) and valid for the duration of your stay
 - › if you are signed up to a health fund in another Member State of the European Union: your Europe-

an insurance card (valid in the case of emergencies) and European form S2 (necessary for non-emergency admissions)

› if your presence in Luxembourg is covered by the Ministry of Family Affairs or the Government Commission for Foreigners (CGE): the numbered ticket issued by these bodies

- Your medical-surgical mutual fund membership card or any other additional insurance
- Any other administrative document that may be relevant to your financial management (workplace accident form, third-party social payment certificate issued by your welfare office, as well as the associated labels, etc.)
- Any medical document associated with your admission and your ongoing treatments (prescriptions, letter from your doctor, x-rays and recent test results, etc.)

You will also be asked for the contact details of a contact person (name, family relationship, address, telephone no., etc.).

Special cases

Emergency admission:

if you are hospitalised in an emergency, the administrative formalities will be entrusted to a member of your family or the hospital secretary.

Admission of a minor:

parents or guardians must give their consent and be present when minors are admitted to the hospital. They must also be present when the child or adolescent is discharged. A child shall be cared for in a department appropriate to his/her pathology and/or age. The child shall receive an appropriate level of information.

Persons not registered with the social security office:

if you are not signed up to a health insurance scheme, the CHL will either ask you to pay a deposit or advise you to contact your local welfare office.

Hospitalisation on the request of a third party:

any person suffering from mental illness cannot be hospitalised without their consent to the request of a third party, unless their illness makes it impossible for them to give their consent and the polyclinic-emergency room decides their condition requires immediate care including constant surveillance in a hospital environment.

› Mutual respect, dignity and loyalty

The patient shall collaborate with the healthcare professional, provide them with all relevant information for their healthcare and adhere to it. (Art.3)

During the course of their care, they shall respect the healthcare staff and the other patients.

› Checking a patient's identity

From the patient's admission to discharge, our administrative and medical healthcare teams regularly ask the patient to state their identity before each treatment or healthcare procedure.

An identity bracelet is placed on the patient's wrist. The patient must actively participate in the CHL policy aimed at preventing any risk of error regarding their identity. The patient must keep the bracelet on their wrist throughout the duration of their stay and state their identity when requested.

› Information collection

When caring for patient, the healthcare team will ask the patient questions about their state of health as well as their personal situation. This data is essential for the patient file and ensuring adequate care.

The patient shall systematically provide information about any medication used, allergies and any other information they consider important.

› Taking medication

The patient has an active role to play in their optimum care.

› Smoke-free hospital

Smoking and vaping are forbidden on the hospital premises and within its grounds, except in rooms that have been especially fitted out and are intended for this purpose.

The hospital grounds include the entrance halls, benches and green spaces of the CHL.

› Forbidden substances

The consumption of alcohol, cannabis or other illegal substances is prohibited inside the hospital and within its grounds.

› Face concealment

It is prohibited to conceal the face on hospital premises. (Article 563 of the Criminal Code)

› Mobile telephones

The use of mobile telephones is permitted in rooms, provided that they do not disturb other patients or proper patient care. These devices are forbidden in treatment rooms and operating theatres, due to their possible interference with certain medical equipment.

› Ban on filming and photographing healthcare professionals within the hospital

It is strictly prohibited to film or photograph healthcare professionals within the hospital.

Non-compliance with image and data protection rights is subject to penalties, and Management may take the necessary actions.



You can consult the Law of 24 July 2014 on the rights and duties of patients in its entirety via the following QR code:





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Centre Hospitalier de Luxembourg
4, rue Ernest Barblé L-1210 Luxembourg
Tel: +352 44 11 11 Fax: +352 45 87 62 www.chl.lu