RIGHTS AND DUTIES OF THE USER

RIGHTS OF THE USER

1. Right of choice

- The user of the health services has the right to choose the services and providers of health care, according to the existing resources.
- The right to health protection is exercised taking into account the rules of organization of the health services.

2. Consent or refusal

- Consent or refusal of health care provision shall be declared in a free and informed way, unless otherwise provided by law.
- The user of health services may, at any time during the provision of health care, revoke the consent.

3. Adequacy of health care provision

- The user of the health services is entitled to receive the health care that he/she needs promptly or in a period considered clinically acceptable, depending on the cases.
- The user of health services is entitled to the most adequate and technically correct health care.
- Health care must be provided humanely and with respect for the user.

4. Personal data and protection of privacy

- The user of the health services is the owner of the rights to the protection of personal data and the reservation of privacy.
- Article 5 of Law 67/98, of October 26th, is applicable to data processing in the health area, ensuring, inter alia, that the collected data are adequate, relevant and not excessive for the pursued purposes.
- The user of the health services shall have the right of access to the collected personal data and may require the correction of inaccurate information and

the inclusion of information totally or partially omitted, pursuant to article 11 of Law 67/98, of October 26th.

5. Secrecy

- The user of health services has the right to secrecy about his/her personal data.
- Health professionals are bound by the duty of secrecy with respect to the facts that they are aware of during the exercise of their duties, unless otherwise provided by law or judicial decision imposing their disclosure.

6. Right to information

- The health care user has the right to be informed by the health care provider about his/her situation, the possible alternatives of treatment and the probable evolution of his/her condition.
- The information must be transmitted in an accessible, objective, complete and intelligible manner.

7. Spiritual and religious assistance

- The user of health services is entitled to religious assistance, regardless of religion.
- To the churches or religious communities, legally recognized, are guaranteed conditions that allow the free exercise of spiritual and religious assistance to the users hospitalized in health facilities of the SNS, who request it, under the terms of Decree-Law no. 253/2009, of September 23rd. Charter of Rights and Duties of Users.

8. Complaints and Claims

- The user of health services has the right to complain and to present a claim in the health establishments, according to the law, as well as to receive compensation for the suffered damages.
- Complaints and claims can be presented in a complaint book or on a stand- alone basis and the response is mandatory, according to the law.

- Health services, providers of health goods or services and health care providers are required to have a complaint book, which can be filled by those who request it.

9. Right of association

- The user of health services has the right to establish entities that represent him/her and defend his/her interests.
- The user of health services may establish entities that collaborate with the health system, namely under the form of associations for the health promotion and defence or health facilities groups of friends.

10. Minors and incapable

- The law shall provide the conditions according to which the legal representatives of minors and incapable may exercise their rights, namely the right to refuse assistance, with respect to constitutional principles.

DUTIES OF THE USER

1. The user of health services must respect the rights of other users, as well as those of the health professionals with whom he/she relates.

2. The user of health services must respect the organization and operation rules of the health services and establishments.

3. The user of health services must collaborate with health professionals in all aspects related to his/her situation.

4. The user of health services must pay the costs arising from the provision of health care, if applicable.