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# Your Rights as a Washington Patient

## Washington Medical Commission

2019 Northwest Patient Safety Conference  
May 7, 2019

Claire Trescott, MD  
Medical Commissioner, Congressional District 6



# Topics to be Covered

- Who is the WMC?
- Patient rights when receiving general health care services.
- Patient rights when receiving pain management care.
- Patient rights when filing a WMC complaint.
- Physician and Physician Assistant responsibility.



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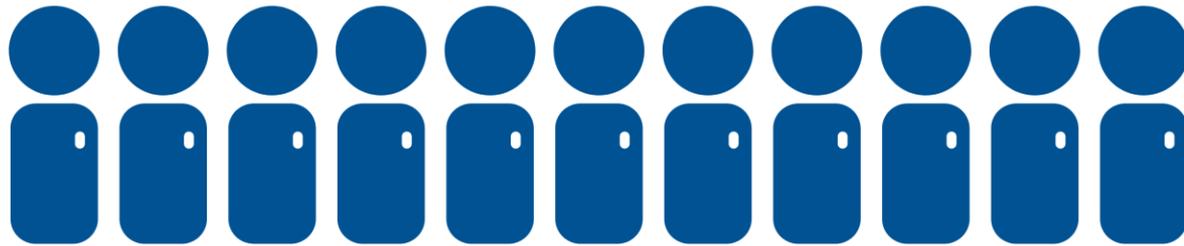


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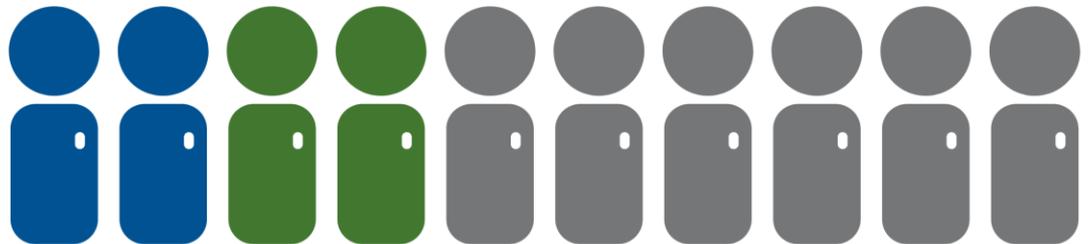
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# Medical Commission: WHO



- 21 Governor appointed members
- 10 physicians represent each congressional district
- 3 “at-large” physicians



■ Physician (MD) (61.90%) ■ Physician Assistant (PA) (9.52%) ■ Public Members (28.57%)



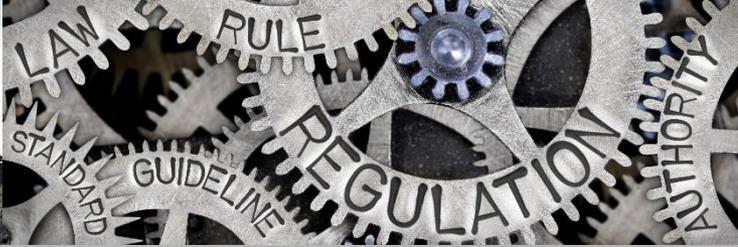
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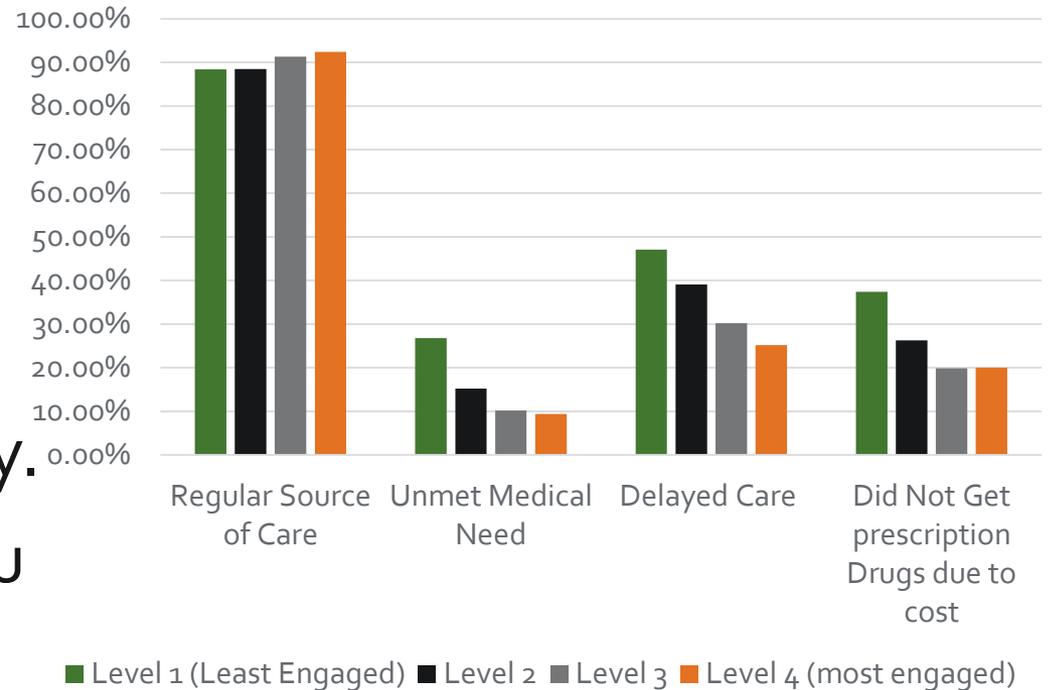
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# The Importance of Knowing your Rights

- Better Communication with your Provider.
- More Likely to be Proactive in your Long Term Care.
- Enhanced Patient Safety.
- Better Outcomes for you and your family.

Access to Care by Patient Involvement



Source: HSC 2007 Health Tracking Household Study



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# General Health Care Services

- A Physician or Physician Assistant cannot refuse to give you copies of your medical records because of an outstanding balance.
  - They are allowed to charge a search and copying fee before the records are released.



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# General Health Care Services

- You have the right to request a chaperone during your examination and to decline treatment if one cannot be provided.



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# General Health Care Services

- If you are not comfortable with your provider you have the right to find one that is more suitable for you.
- The provider has the same right to terminate the physician/patient relationship.
  - The provider cannot abandon the patient and generally must provide 30 days of emergency care and medications.



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# General Health Care Services

- You have the right to give informed consent prior to the start of any procedure and/or treatment.

## Key aspects of informed consent



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# Pain Management Care

- **You have a right to continue current treatment.**
  - Your provider must communicate and document any reason for altering an existing treatment plan.
- **You have the right to understand any changes in current treatment.**
  - Discuss any plans to taper your dosage with you.



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## Example: Jess



Jess has been a chronic pain patient for 7 years.



Jess recently found out she is pregnant.



During her check-up, Jess's doctor reviews the risks of opioids while pregnant.



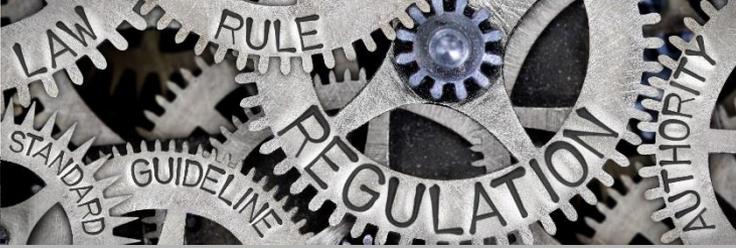
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# Example: Jess



Jess’s doctor cannot taper or discontinue her medication without discussing the risks and benefits of opioid detoxification while pregnant with Jess.



Jess does not want to discontinue her opioids but wants to do the best thing for her baby.

- Jess’s doctor suggests a tapering plan to reduce her medication while maintaining function.
- Jess agrees with the tapering plan. She and her doctor adjust the written treatment plan and both agree to the new plan.



Jess’s doctor does the following;

- Answers any questions about tapering and what to expect as they begin to taper Jess’s dosage.
- Provides her with resources to take home
- Documents the conversation and the adjustment to the treatment plan in the health record.
- Adds the new treatment plan to the health record.



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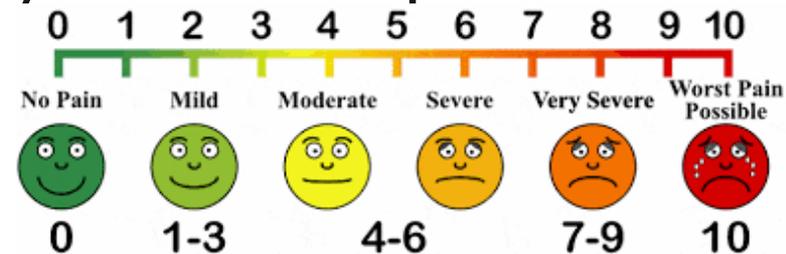


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# Pain Management Care

- You have the right to be treated in a manner that is consistent with the standard of care and improves your functionality.
- This does not mean that you will be pain free



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# Pain Management Care

- **You have the right to be referred to a pain management specialist or a new primary care physician.**
  - Your provider has the right to discontinue treatment, just as you, the patient, can decide to no longer see the provider. But they should refer you to another provider.
  - Your provider should give you a 30 day notice and 30 days worth of medications before discontinuing treatment.



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## Example: Tom

Tom receives refills from other healthcare practitioners if he runs out before his refill.

Tom's doctor informs him that he has violated office policy with regard to number of refills between visits.

Due to the nonadherence of office policy Tom's doctor provides him with a 30 day notice to find a new doctor and 30 days of his medications.



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# Your Rights When Filing a Complaint

- **There is no statutory time limit to file a complaint.**
  - However it is best to file as soon as possible.
- **You do not have to be the patient to file a complaint.**
- **As a patient, you have whistleblower protection.**
  - However without a name we may not be able to investigate.
- **You can file a complaint for any reason, but know that the WMC cannot take action on:**

- Monetary disagreements
- Rudeness
- Typing errors
- Miscommunications



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# Provider Responsibilities

- Enhanced Empathy
- Understanding Underlying Issues
- Disseminate Information
- Improving Health Literacy of Patients



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# Questions?

- General Questions: [jimi.bush@wmc.wa.gov](mailto:jimi.bush@wmc.wa.gov)
- Visit the patient resource page on our website for the patient rights documents and other useful tips for your health care.



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