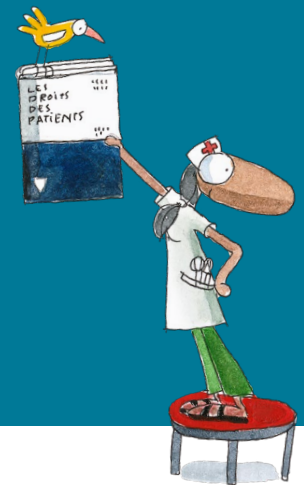


# Patients' rights

## Key points

Well-informed patients who are aware of their rights can play an active role in treatment planning and establish a trusting relationship with their doctor and nursing staff.



### 1. Right to receive information

You have the right to be informed in a clear and appropriate manner about your state of health, the investigations and treatments planned, the expected benefits and possible risks involved, and the prognosis, as well as the financial aspects.

At the time of your admission to a healthcare facility, you will receive information – in paper or electronic form – on your rights and responsibilities and the conditions of your stay.

### 2. Voluntary informed consent

If you have mental capacity (i.e. you can assess a situation and make decisions accordingly), treatment may only be carried out with your voluntary informed consent (given without any pressure or coercion, and in full awareness of the relevant facts). This applies both for adults and for legal minors.

### 3. Advance directive and representative in the event of incapacity

You can draw up an advance directive in which you specify the medical treatments to which you are (or are not) prepared to consent, and you can appoint someone to act on your behalf in the event of your incapacity. This representative can make decisions on your care (in accordance with your presumed wishes and best interests) should you no longer be in a position to do so.

### 4. Free choice of healthcare professional and/or facility

Your freedom to choose a healthcare professional or facility depends primarily on the type of health insurance you have opted for. Hospital treatment at a private clinic, or outside your own canton, may not be fully covered by your basic insurance. You should therefore always carefully read the terms and conditions of your basic and any supplementary health insurance.

As an outpatient, you are free to choose the health professional you wish to see, unless this choice is restricted by the type of insurance you have opted for (e.g. GP model or health network).

The range and the quality of services covered by compulsory basic insurance, however, remain the same.

### 5. Coercive measures

Any treatment applied against your wishes or in spite of your opposition is considered to be a coercive measure, whether it involves a restriction of personal liberty or treatment without consent.

You must be able to give your consent to proposed medical treatment in an autonomous manner – on the basis of reliable information and after careful assessment. Any measures must be in accordance with your personal values.

The use of coercion is generally prohibited; nevertheless, in medicine, exceptional situations arise where recourse to coercive measures is unavoidable (e.g. in a psychiatric hospital). These are, however, subject to stringent legal requirements.

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## 6. Duty of confidentiality in healthcare

You have a right to have all your data treated in confidence. Health professionals have a duty to observe confidentiality (also known as professional or medical secrecy). They must not disclose any information obtained in the practice of their profession.

Unless otherwise provided by law, they are not permitted to pass on such information to third parties without your consent. The duty of confidentiality also applies between health professionals.

The duty of confidentiality is designed to protect both your privacy and health professionals, who are required to remain silent about all matters entrusted to them.

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## 7. Access to medical records

You have a right to consult your medical records. Depending on the canton, you may obtain a copy or the original documents, which you can pass on to the health professional of your choice.

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## 8. eHealth and electronic patient record

You have a right to an electronic patient record (EPR), which means you can be involved in managing your health data and can access your medical information in an electronic form.

Collected in the EPR are digital copies of the most important data kept by your health service providers. This should facilitate both the exchange of information between health professionals and shared decision-making. Like you, the health professionals involved in your treatment can consult this information at any time. Access to your EPR is protected and secure. It belongs to you, and you decide who is allowed to access it.



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## 9. Medical errors

You have a right to be treated with due care. In the event of a medical error, you are entitled to seek an explanation from the professional who treated you, asking any questions which may be necessary to understand what has happened. You are also entitled to obtain a second medical opinion and to contact a patients' rights organisation for additional support.

Zero risk does not exist in medicine, as any treatment involves risks. If complications arise after treatment, this does not automatically mean that the health professional has made a medical error and can be held liable.

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## 10. Right to assistance and support

Throughout your stay at a healthcare facility, you have a right to assistance. You are entitled to be supported by relatives and to maintain contacts with people close to you. You can also involve an external support person, e.g. from a patient organisation.

If you are being treated at home, you can be assisted and supported by an informal carer (relative), providing regular help with daily activities.

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## 11. Organ and tissue donation

You have a right to decide, while you are alive, whether you wish to donate your organs for transplantation.

Until at least 2026, the explicit consent system is applicable, whereby organs or tissues may only be removed after death if consent has been given by the deceased or by relatives.

Probably from 2026, extended presumed consent is to be applicable in Switzerland: under this system, everyone is considered to be an organ/tissue donor unless, during their lifetime, they have declared their opposition to donation. If a person's wishes have not been documented, the decision is to be made by relatives in accordance with the presumed wishes of the deceased. If no wishes have been documented and no relatives can be contacted, organ/tissue removal is prohibited.

No payments may be made for organ, tissue or cell donation; trade is prohibited.

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## 12. End-of-life care

We all have a right to a peaceful and dignified end of life. Patients nearing the end of life should receive treatment and support which is medically appropriate, based on their individual wishes and needs, with the aim of maintaining or improving the quality of life until the end.

People at the end of life have a right to receive palliative care, including relief of pain and other symptoms, comfort care and, if so desired, appropriate psychological, social and spiritual support. They also have a right to receive support in a healthcare setting.

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## 13. Patients' responsibilities

As a patient, you have not only rights but also responsibilities, such as following a prescribed course of treatment and informing the professionals caring for you about important health-related matters. Compliance with these responsibilities will significantly enhance the quality of your care.

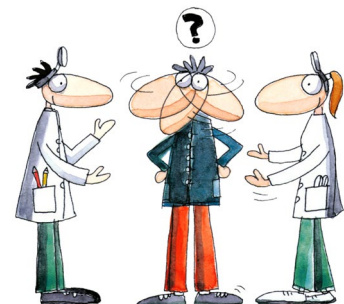
Your active participation, based on communication, mutual trust and respect, will enable the health and social care professionals to provide treatment reflecting your values and wishes as closely as possible.

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## Do you require further information, assistance or advice?



Please consult our detailed booklet "Patients' rights: Essential information" or contact your cantonal health office.



A measure of the cantons of Bern, Fribourg, Geneva, Jura, Neuchâtel, Ticino, Vaud and Valais.