



CANCERcare®

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# fact sheet

## PATIENTS' BILL OF RIGHTS AND HIPAA

**Cancer is an expensive illness involving information and medical terms you never thought you needed to learn. Anyone living with cancer and receiving treatment has certain rights. The Patients' Bill of Rights and HIPAA (Health Insurance Portability and Accountability Act) guarantee medical care and protect individuals' medical records.**

### PATIENT RIGHTS

Under a federal law, you have the following rights:

- You are guaranteed access to your medical records.
- You will be notified of your privacy rights at your physician's office.
- You may file a formal complaint if these rights have been violated.
- You have permission to ask questions to ensure that your medical information is being protected.
- You have the right to request changes and additions to your medical records, including the right to correct any incorrect information.
- Your health information cannot be used for marketing or advertising purposes.

### HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

Passed into law in 1993, HIPAA created a national standard to protect individuals' medical records and other personal health records. Whether your health care provider stores your information in paper or electronic form, the same privacy rights apply. HIPAA gives you the right to control who may receive your medical records and what information they may receive.

When you visit a health care professional or are admitted to a hospital for the first time, you will receive HIPAA forms. Signing these forms states that you know your rights with regard to control over your medical information.



### PROTECTING YOUR PRIVACY AND CONFIDENTIALITY

Being in control of your health care information is very important. Your rights and privacy are protected by law. As a patient, you will be asked to share your medical information with your trusted doctor and health care team.

Your medical information is protected by law and can only be shared with your permission. Knowing this will allow you to answer your doctor's questions more honestly and fully, which will improve the care you receive. You can also authorize a loved one or friend to have access.

Your personal medical information consists of:

- Your full legal name
- Your address
- Your phone number
- Your actual medical record
- The medical history of family members

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## PATIENT RESPONSIBILITIES

To get the best medical care, you should:

- Provide information about past illnesses, hospitalizations, medications and other health-related information.
- Request simpler information from the health care staff if you do not understand the explanations or instructions.
- Inform your doctor and caregiver if you expect or experience problems following a prescribed treatment.
- Provide information about your insurance coverage.
- Discuss a payment plan with hospital staff.
- Make sure the hospital has a copy of your advance directives (see CancerCare's "Advance Care Planning" fact sheet for more information).
- Know that patients are asked to make reasonable compromises based on the needs of the hospital, other patients or hospital staff.

## WHAT TO EXPECT DURING A HOSPITAL STAY

People are concerned when they have to go into the hospital. It helps you cope if you are aware of what you are guaranteed by law:

- Considerate, respectful hospital care
- A clean, safe environment
- A non-smoking room
- Medical treatment without discrimination
- Emergency care, if you need it
- Names, positions and functions of all hospital staff involved in your care
- The right to refuse participation in research
- Priority visitation rights for your family members and other adults



### CancerCare® Can Help

Founded in 1944, CancerCare is the leading national organization providing free support services and information to help people manage the emotional, practical and financial challenges of cancer. Our comprehensive services include case management, counseling and support groups over the phone, online and in-person, educational workshops, publications and financial and co-payment assistance. All CancerCare services are provided by master's-prepared oncology social workers and world-leading cancer experts.

To learn more, visit [www.cancercare.org](http://www.cancercare.org) or call **800-813-HOPE (4673)**.

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