

Annex: Supplementary data on patients' rights, health outcomes and access to healthcare in five selected EU Member States

Table 1: Patients' rights in five EU Member States

Right	AT	CZ	IT	SE	UK
Horizontal Antidiscrimination leg.	yes ¹	yes ²	yes ³	yes ⁴	yes ⁵
Right access to care and treatment	yes ⁶	yes ⁷	yes ⁸	yes ⁹	yes ¹⁰
Right to information	yes ¹¹	yes ¹²	yes ¹³	yes ¹⁴	yes ¹⁵
Right to explanation appropriate to the patients capacity of understanding	yes ¹⁶	yes ¹⁷	yes ¹⁸	yes ¹⁹	yes ²⁰
Right to translation or interpreter support	no	no	no	yes ²¹	no ²²
Right to informed consent	yes ²³	yes ²⁴	yes ²⁵	yes ²⁶	yes ²⁷
Right to free choice	no	yes ²⁸	yes ²⁹	yes ³⁰	yes ³¹
Right to privacy and confidentiality	yes ³²	yes ³³	yes ³⁴	yes ³⁵	yes ³⁶
Right to dignity	yes ³⁷	yes ³⁸	yes ³⁹	yes ⁴⁰	yes ⁴¹
Right to observance of quality standards	yes ⁴²	yes ⁴³	yes ⁴⁴	yes ⁴⁵	yes ⁴⁶

Notes:

1. The Charter of Patients' Rights (Vereinbarung zur Sicherstellung der Patientenrechte, Patientencharta), BGBl. I Nr. 42/2006, Art. 3.
2. The Charter of Fundamental Rights and Basic Freedoms, No. 2/1993 Coll. (2/1993 Sb., Listina základních práv a svobod), Art. 3 (1) and Art. 24; The Anti-Discrimination Act, Act No. 198/2009 Coll. (zákon č. 198/2009 Sb., o rovném zacházení a o právních prostředcích ochrany před diskriminací a o změně některých zákonů (antidiskriminační zákon), para. 2 (3).
3. The Italian Constitution (Costituzione della Repubblica Italiana, G.U. 27.12.1947, no. 298), Art. 3; Law 883/1978 on the Establishment of the National Health System (Legge 883/1978, Istituzione del servizio sanitario nazionale, G.U. 28.12.1978 no. 360 Suppl. Ordinario), Art. 1 (3); The Ethical code for physicians (Codice di deontologia medica), Art. 6 (2).
4. The Discrimination Act (Diskrimineringslagen, SFS 2008:567), Chapter 2, para. 13.
5. The NHS Constitution, Section 1 (1); available at: www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/@ps/documents/digitalasset/dh_113645.pdf.
6. The Charter of Patients' Rights (Vereinbarung zur Sicherstellung der Patientenrechte, Patientencharta), BGBl. I Nr. 42/2006, Art. 4 (1); The Professional Qualification of Physicians and medical chambers Act (Bundesgesetz über die Ausübung des ärztlichen Berufes und die Standesvertretung der Ärzte, Ärztegesetz), BGBl. I Nr. 169/1998, Section 49 (1); The Health and Health Care Act (Gesundheits- und Krankenpflegegesetz, GuKG), BGBl. I Nr. 108/1997, Section 4 (1); The Federal Hospitals Act (Krankenanstalten- und Kuranstaltengesetz), BGBl. Nr. 1/1957, Sections 22 and 23; The Viennese Hospitals Act (Wiener Krankenanstaltengesetz), LGBl. 1987/23, Sections 30 (1) and 36 (4); The Styrian Hospitals Act (Steiermärkisches Krankenanstaltengesetz), LGBl. Nr. 66/1999, Section 29 (2) (3) (4).
7. The Charter of Fundamental Rights and Basic Freedoms, No. 2/1993 Coll. (2/1993 Sb., Listina základních práv a svobod), Art. 31; The Act on Health Care No. 20/1966 Coll. (zákon č. 20/1966 Sb., o péči o zdraví lidu), para. 9 (1); The Code of Patient rights (Práva pacientů ČR), Art. 1 and 7.
8. The Italian Constitution, Art. 32; Legislative Decree No. 502/1992 on the Reorganisation of the Legislation on Health Care, according to Art. 1 of Law 23rd October 1992, Art. 1 (1), and subsequent amendments (d.lgs 502/92, Riordino della disciplina in materia sanitaria, a norma dell'art.1 della legge 23 ottobre 1992 e successive modificazioni, n. 421, G.U. Serie Generale n. 305 del 30 dicembre 1992); Law 883/1978 on the Establishment of the National Health System (Legge 883/1978, Istituzione del servizio sanitario nazionale, G.U. 28.12.1978 no. 360 Suppl. Ordinario), Art. 19.
9. The Health and Medical Services Act (most recent version) (Hälsa- och sjukvårdslagen), SFS 1982:763, paras. 3, 3b, 18 and 18b.
10. The NHS Constitution, Section 2a.
11. The Charter of Patients' Rights (Vereinbarung zur Sicherstellung der Patientenrechte, Patientencharta), BGBl. I Nr. 42/2006, Art. 16 (1); The Federal Hospitals Act (Krankenanstalten- und Kuranstaltengesetz), BGBl. Nr. 1/1957, Section 5a (1); The Viennese Hospitals Act (Wiener Krankenanstaltengesetz), LGBl. 1987/23, Sections 17a (2) (e), 17a (4), 17a (5) and 17a (6); The Styrian Hospitals Act (Steiermärkisches Krankenanstaltengesetz), LGBl. Nr. 66/1999, Section 6a (2).
12. The Act on Health Care No. 20/1966 Coll. (zákon č. 20/1966 Sb., o péči o zdraví lidu), paras. 23 (1) and 67b (12); The Code of Patient rights (Práva pacientů ČR), Art. 2 and 3.
13. Legislative Decree No. 502/1992 on the Reorganisation of the Legislation on Health Care, according to Art. 1 of Law 23rd October 1992, Art. 14 (4), and subsequent amendments (d.lgs 502/92, Riordino della disciplina in materia sanitaria, a norma dell'art.1 della legge 23 ottobre 1992 e successive modificazioni, n. 421, G.U. Serie Generale n. 305 del 30 dicembre 1992); The Ethical code for physicians (Codice di deontologia medica), Art. 33 and 42.
14. The Health and Medical Services Act (most recent version) (Hälsa- och sjukvårdslagen), SFS 1982: 763, para. 2b.

15. *The NHS Constitution, Section 2a.*
16. *The Charter of Patients' Rights (Vereinbarung zur Sicherstellung der Patientenrechte, Patientencharta), BGBl. I Nr. 42/2006, Art. 16 (2); The Federal Hospitals Act (Krankenanstalten- und Kuranstaltengesetz), BGBl. Nr. 1/1957, Section 5 (a); The Viennese Hospitals Act (Wiener Krankenanstaltengesetz), LGBl. 1987/23, Section 17 a (2) (h); The Styrian Hospitals Act (Steiermärkisches Krankenanstaltengesetz), LGBl. Nr. 66/1999, Section 6 a (2) (p).*
17. *In non-binding code: The Code of Patient rights (Práva pacientů ČR), Art. 3.*
18. *In non-binding code: The Ethical code for physicians (Codice di deontologia medica), Art. 33 (2).*
19. *The Health and Medical Services Act (most recent version) (Hälso- och sjukvårdslagen), SFS 1982: 763, para. 2b.*
20. *The NHS Constitution, Section 2a.*
21. *The Administrative Act (most recent version), para. 8.*
22. *Where the right to translation or interpreter is not explicitly mentioned in national legislation, it might be implied in the right to explanation.*
23. *The Charter of Patients' Rights (Vereinbarung zur Sicherstellung der Patientenrechte, Patientencharta), BGBl. I Nr. 42/2006, Art. 17 (1); Section 17 a (2) (f) The Viennese Hospitals Act (Wiener Krankenanstaltengesetz), LGBl. 1987/23, Section 17 a (2) (f); The Styrian Hospitals Act (Steiermärkisches Krankenanstaltengesetz), LGBl. Nr. 66/1999, Sections 6 a (2) (e) and 11 (3).*
24. *The Act on Health Care No. 20/1966 Coll. (zákon č. 20/1966 Sb., o péči o zdraví lidu), para. 23 (2); The Code of Patient rights (Práva pacientů ČR), Art. 4.*
25. *Law 883/1978 on the Establishment of the National Health System (Legge 883/1978 "Istituzione del servizio sanitario nazionale", G.U. 28.12.1978 no. 360 Suppl. Ordinario), Art. 33 (1) and (5); The Ethical code for physicians (Codice di deontologia medica), Art. 26 (2) and 35. Moreover, in its judgment No. 6464/1994, the Italian Civil Court of Cassation stated that if physicians do not provide their patients with appropriate information, the contract is nullum ab origine. Thus, a specific tort liability arises towards the physician. The Court also affirmed that, even though the health performance is carried out without mistakes, patients have the right to obtain a favourable judgment against the physician if she/he has omitted to ask them for an informed consent.*
26. *The Health and Medical Services Act (most recent version) (Hälso- och sjukvårdslagen), SFS 1982: 763, para. 2a.*
27. *The NHS Constitution, Section 2a.*
28. *The Act on the Public Health Insurance No. 48/1997 Coll. (zákon č. 48/1997 Sb., o veřejném zdravotním pojištění), para. 11.*
29. *The Italian Constitution, Art. 32 (2); Law 883/1978 on the Establishment of the National Health System (Legge 883/1978, Istituzione del servizio sanitario nazionale, G.U. 28.12.1978 no. 360 Suppl. Ordinario), Art. 19 (2), 25 and 33; Legislative Decree No. 502/1992 on the Reorganisation of the Legislation on Health Care, according to art.1 of Law 23rd October 1992, Art. 8, and subsequent amendments (d.lgs 502/92, Riordino della disciplina in materia sanitaria, a norma dell'art.1 della legge 23 ottobre 1992" e successive modificazioni, n. 421, G.U. Serie Generale n. 305 del 30 dicembre 1992); The Ethical code for physicians (Codice di deontologia medica), Art. 3, 16 and 27.*
30. *The Health and Medical Services Act (most recent version) (Hälso- och sjukvårdslagen), SFS 1982: 763, para. 3a.*
31. *The NHS Constitution, Section 2a.*
32. *The Charter of Patients' Rights (Vereinbarung zur Sicherstellung der Patientenrechte, Patientencharta), BGBl. I Nr. 42/2006, Art. 2; The Health and Health Care Act (Gesundheits- und Krankenpflegegesetz, GuKG), BGBl. I Nr. 108/1997 (as amended), Section 6 (1); The Professional Qualification of Physicians and medical chambers Act (Bundesgesetz über die Ausübung des ärztlichen Berufes und die Standesvertretung der Ärzte, Ärztegesetz), BGBl. I Nr. 169/1998, Section 54 (1); The Federal Hospitals Act (Krankenanstalten- und Kuranstaltengesetz), BGBl. Nr. 1/1957, Section 9 (1); The Viennese Hospitals Act (Wiener Krankenanstaltengesetz), LGBl. 1987/23, Section 17 a (2) (b) (c); The Styrian Hospitals Act (Steiermärkisches Krankenanstaltengesetz), LGBl. Nr. 66/1999, Section 6 a (2) (c) (l); The Criminal Code (Bundesgesetz vom 23. Jänner 1974 über die mit gerichtlicher Strafe bedrohten Handlungen – Strafgesetzbuch), BGBl. Nr. 60/1974, Section 121 (1).*
33. *The Act on Health Care No. 20/1966 Coll. (zákon č. 20/1966 Sb., o péči o zdraví lidu), para. 55 (2); The Act on the Protection of Personal Data No. 101/2000 Coll. (zákon č. 101/2000 Sb., o ochraně osobních údajů), para. 13 (1); The Code of Patient rights (Práva pacientů ČR), Art. 2, 5 and 6.*
34. *Law 883/1978 on the Establishment of the national health system (Legge 883/1978, Istituzione del servizio sanitario nazionale, G.U. 28.12.1978 no. 360 Suppl. Ordinario), Art. 27; Legislative Decree no. 196/2003 on the Data protection code (D.lgs 196/2003, Codice in materia di protezione dei dati personali", G.U. n. 174 del 29 luglio 2003 - Supplemento Ordinario n. 123), Art. 76 and 90; The Ethical code for physicians (Codice di deontologia medica), Art. 11 and 12.*
35. *The Public Access to Information and Secrecy Act SFS 2009:400 (most recent version), Chapter 25, para. 1.*
36. *The NHS Constitution, Section 2a.*
37. *The Charter of Patients' Rights (Vereinbarung zur Sicherstellung der Patientenrechte – Patientencharta), BGBl. I Nr. 42/2006, Art. 2; The Viennese Hospitals Act (Wiener Krankenanstaltengesetz), LGBl. 1987/23 of 24 March 1987 as amended by LGBl. 2010/56 of 22 October 2010, Section 17 a; The Styrian Hospitals Act (Steiermärkisches Krankenanstaltengesetz), LGBl. Nr. 66/1999, Section 6 a (2) (b).*
38. *In non-binding code: The Code of Patient rights (Práva pacientů ČR), Art. 5.*
39. *The Italian Constitution, Art. 32 (2); Law 883/1978 on the Establishment of the national health system (Legge 883/1978, Istituzione del servizio sanitario nazionale, G.U. 28.12.1978 no. 360 Suppl. Ordinario), Art. 1 (2); Law 883/1978 on the Establishment of the national health system (Legge 883/1978, Istituzione del servizio sanitario nazionale, G.U. 28.12.1978 no. 360 Suppl. Ordinario), Art. 33 (2); Legislative Decree No. 502/1992 on the Reorganisation of the legislation on health care, according to art.1 of Law 23rd October 1992, Art. 1, and subsequent amendments (d.lgs 502/92, Riordino della disciplina in materia sanitaria, a norma dell'art.1 della legge 23 ottobre 1992 e successive modificazioni, n. 421, G.U. Serie Generale n. 305 del 30 dicembre 1992), Art. 1; The Ethical code for physicians (Codice di deontologia medica), Art. 3 and 4.*
40. *In Preamble of Discrimination Act Chapter 1, para. 1 of Discrimination Act (Diskrimineringslagen), SFS 2008:567.*
41. *The NHS Constitution, Section 2a.*
42. *The Charter of Patients' Rights (Vereinbarung zur Sicherstellung der Patientenrechte, Patientencharta), BGBl. I Nr. 42/2006, Art. 7 (1) and (2); The Viennese Hospitals Act (Wiener Krankenanstaltengesetz), LGBl. 1987/23, Section 17 a (2) (d); The Styrian Hospitals Act (Steiermärkisches Krankenanstaltengesetz), LGBl. Nr. 66/1999, Section 11d; The Health and Health Care Act (Gesundheits- und Krankenpflegegesetz, GuKG), BGBl. I Nr. 108/1997, Section 14 (1); The Professional Qualification of Physicians and medical chambers Act (Bundesgesetz über die Ausübung des ärztlichen Berufes und die Standesvertretung der Ärzte, Ärztegesetz), BGBl. I Nr. 169/1998, Section 49 (1); The Federal Hospitals Act (Krankenanstalten- und Kuranstaltengesetz), BGBl. Nr. 1/1957, Section 5b (1).*

43. The Act on Health Care No. 20/1966 Coll. (zákon č. 20/1966 Sb., o péči o zdraví lidu), para. 11 (1).
44. The Italian Constitution, Art. 97; Legge 241/1990 Nuove norme in materia di procedimento amministrativo e di diritto di accesso ai documenti amministrativi, G.U. n° 192 del 18/08/1990, Art. 1; Legislative Decree no. 502/1992 on the Reorganisation of the legislation on health care, according to art.1 of Law 23rd October 1992, Art. 1 (2), 10 (1) and 14 (1), and subsequent amendments (d.lgs 502/92 "Riordino della disciplina in materia sanitaria, a norma dell'art.1 della legge 23 ottobre 1992" e successive modificazioni, n. 421, G.U. Serie Generale n. 305 del 30 dicembre 1992"); The Ethical code for physicians (Codice di deontologia medica), Art. 21 and 24.
45. The Health and Medical Services Act (most recent version) (Hälsa- och sjukvårdslagen), SFS 1982: 763, para. 31; The Patients' Security Act (Patientsäkerhetslagen), SFS 2010:659, Chapter 7, para. 1.
46. The NHS Constitution, Section 2a.

Source: FRA, 2012

Table 2: Availability of systematic statistics on health outcomes and access to healthcare

Theme/Variables	EU Member State	Sex	Age	Disability	Ethnicity proxy**	Source
Mortality*	AT	YES	YES	NO	cob, nat	Death registers
	CZ	YES	YES	NO	cit	Death registers
	IT	YES	YES	NO	cit	Death registers
	SE	YES	YES	NO	cob	Death registers
	UK	YES	YES	NO	cob; ethn	Death registers
Health status	AT	YES	YES	NO	mig	Austrian Health Survey
	CZ	YES	YES	YES	NO	EHIS
	IT	YES	YES	YES	cit	Multiscopo
	SE	YES	YES	NO	cob	Swedish Living Conditions Survey (ULF)
	UK	YES	YES	YES	ethn	Census, HSE
Specific health conditions	AT	YES	YES	NO	mig	Austrian Health Survey
	CZ	YES	YES	NO	NO	EHIS
	IT	YES	YES	NO	cit	Multiscopo
	SE	YES	YES	NO	cob	ULF
	UK	YES	YES	YES	ethn	HSE
Disability	AT	YES	YES	n.a.	mig	Austrian Health Survey
	CZ	YES	YES	n.a.	NO	EHIS
	IT	YES	YES	n.a.	cit	Multiscopo
	SE	YES	YES	n.a.	cob	Swedish Living Conditions Survey (ULF)
	UK	YES	YES	n.a.	ethn	Census, LFS
Mental health	AT	YES	YES	NO	mig	Austrian Health Survey
	CZ	YES	YES	NO	NO	EHIS
	IT	YES	YES	YES	cit	Multiscopo
	SE	YES	YES	NO	cob	NSPH
	UK	YES	YES	YES	ethn	HSE
Health related lifestyle	AT	YES	YES	NO	mig	Austrian Health Survey
	CZ	YES	YES	NO	NO	EHIS
	IT	YES	YES	YES	cit	Multiscopo
	SE	YES	YES	NO	cob	NSPH
	UK	YES	YES	YES	ethn	HSE
Access to health care	AT	YES	YES	NO	mig	Austrian Health Survey
	CZ	YES	YES	NO	NO	IHIS, insurance funds
	IT	YES	YES	YES	cit	Multiscopo
	SE	YES	YES	YES	cob	Register
	UK	YES	YES	YES	ethn	HSE

Notes: * Mortality and infant mortality.

** Ethnicity or main proxy, including Ethnicity (ethn); nationality/citizenship (cit); country of birth (cob) and 'migration background' – some groups only (mig).

Source: FRA, 2012

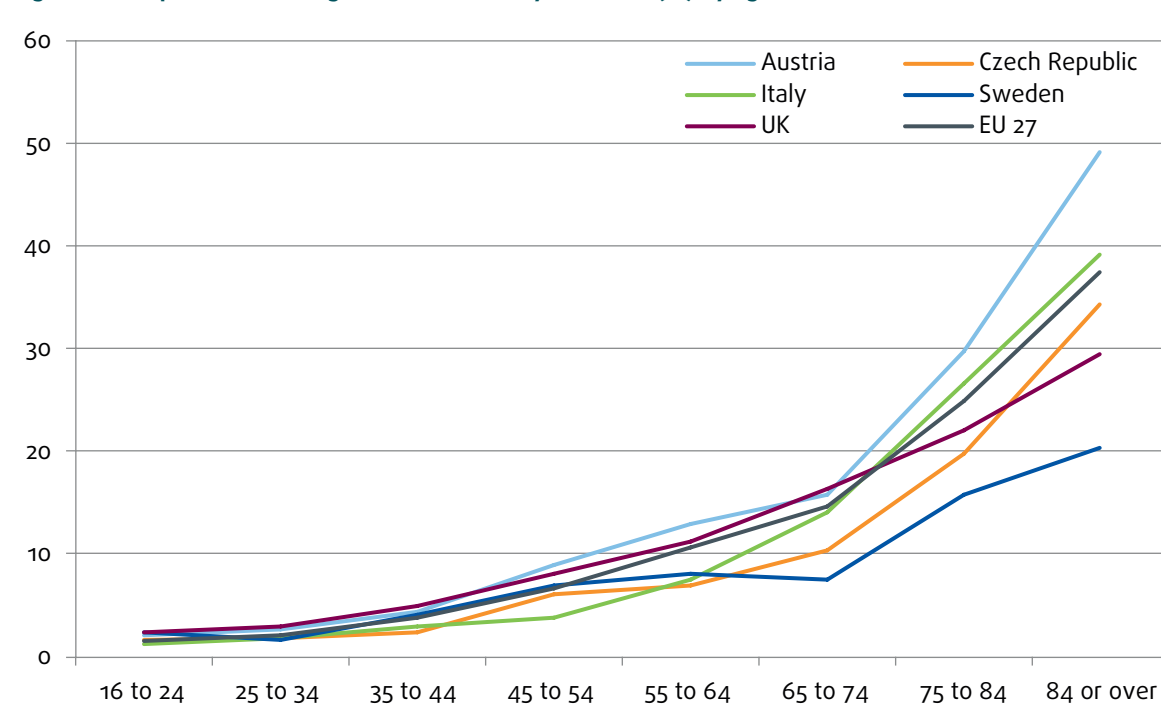
Table 3: Health condition by 'disability'* and sex, EU-27 (%)

	General Health	Limitation in activity because of health problems				Grand Total
		yes, strongly limited	yes, limited	no, not limited	n.a.	
Females	Very Good	1.0	2.2	26.6	0.4	17.1
	Good	5.5	18.6	52.4	1.4	36.6
	Far	23.1	52.3	18.4	1.2	22.4
	Bad	45.4	24.2	1.7	0.2	8.6
	Very Bad	23.7	2.2	0.2	0.0	2.3
	N.A.	1.2	0.6	0.8	96.8	13.0
Females Total		100.0	100.0	100.0	100.0	100.0
Males	Very Good	1.4	2.7	29.7	0.3	19.9
	Good	6.7	20.9	52.0	1.1	37.3
	Far	24.2	52.1	15.5	0.9	18.7
	Bad	43.7	21.3	1.3	0.2	6.4
	Very Bad	22.6	1.8	0.1	0.0	1.7
	N.A.	1.5	1.2	1.4	97.4	16.0
Males Total		100.0	100.0	100.0	100.0	100.0

Note: * Self-perceived limitations in daily activities (activity restriction for at least the past 6 months).
n.a. = not available

Source: EU-SILC, 2009 (New analysis of Eurostat datasets for the present report)

Figure 1: Self-perceived strong limitations in daily activities (%) by age



Source: EU-SILC, 2009 (New analysis of Eurostat datasets for the present report)