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Special Rights for Cancer Patients in Saudi Arabia

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Abstract: Patients' rights have always been a delicate topic that is addressed globally. Any nation's number of lawsuits brought against medical professionals is influenced by the rights granted to patients by the authorities. It can be assumed that, as more rights are given there might be more violations and subsequent legal litigation cases. In this scenario, granting patients less rights would result in a violation of their fundamental human rights. The question that bothers the authorities is how much optimum rights are given to patient population which limits the amount of fallacious legal litigations, without hampering basic human rights. The Saudi Arabian Ministry of Health established the Patients Bill for Rights and Responsibilities in 2006 and defined patient rights as the laws and regulations that the healthcare system must uphold and defend for patients and their families [1, 2, 5]. In this manuscript, the authors are presenting special legal rights given to cancer patients in Saudi Arabia. According to the authors, patients in Saudi Arabia have very balanced legal rights on a number of fronts. In Saudi Arabia

Patients with cancer, AIDS, mental health patients, women's health, companion rights, and even visitor rights are all well documented in Patients Rights and responsibility Bill prescribed by Ministry of Health, Saudi Arabia. In the end, it is determined that Saudi Arabia has excellent documentation, protection, and application of patient rights including legal rights of cancer patients. It is also concluded that Ministry of Health, Saudi Arabia is very serious in terms of Cancer Patient Rights.

Introduction: Patients' rights have always been a delicate topic that is addressed globally. Any nation's number of lawsuits brought against medical professionals is influenced by the rights granted to patients by the authorities. It can be assumed that as more rights are given there might be more violations and subsequent legal litigation cases. In this situation, granting patients less rights would might result in a violation of their fundamental human rights. The question that bothers the authorities is how much optimum rights are given to population which limits the amount of fallacious legal litigations without hampering

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basic human rights. The Saudi Arabian Ministry of Health established the Patients Bill for Rights and Responsibilities in 2006 and defined patient rights as the laws and regulations that the healthcare system must uphold and defend for patients and their families [1, 2, 5]. Despite the low cancer incidence in the Kingdom of Saudi Arabia [15], the rights of cancer patients are specifically addressed in details in this legal bill. Apart from general rights right of reproduction, Pregnancy, genetic testing, right to work and Pain treatment were also protected. There is special provision for Rights of Young Cancer patients.

Literature Review: The Saudi Arabian Ministry of Health established the Patients Bill for Rights and Responsibilities in 2006 and defined patient rights as the laws and regulations that the healthcare system must uphold and defend for patients and their families [1, 2, 6]. The management and structure of primary care services must be improved to raise the quality [2]. One fundamental human right is the right to health. The Basic Laws of Saudi Arabia mention the right to healthcare in Articles 27 and 31. In 2006, the Ministry of Health, Saudi Arabia,

published the Patient's Bill of Rights (PBR) [1,4] which is the main focus of review in this article. In Saudi Arabia, there is a dearth of knowledge regarding patients' rights to health care; in fact, many healthcare professionals who work as providers are also ignorant of the laws and policies created to safeguard these fundamental rights, which can occasionally lead to patients receiving subpar treatment [4]. There is a need to raise awareness of the applicable law in this situation. Since patients must participate in making decisions about their care, health care providers should emphasize to patients the importance of raising their awareness of their rights [6]. Confidentiality protection is a fundamental human right that applies to both medical practice and research [7]. The creation of a patient rights committee is advised to oversee and keep an eye on the education and observance of patients' rights [8]. Numerous benefits can result from patients being aware of their rights, including improved health care services, lower costs, quicker recovery, shorter hospital stays, a decreased risk of permanent physical and spiritual harm, and—above all—an

increase in patients' dignity through participation in decision-making [8]. The use of healthcare facilities has increased in Saudi Arabia [9]. Extensive research has been conducted in both developed and developing countries due to the growing interest in patients' rights and the certainty of its impact on the quality of patient care[10]. Patients' health rights are not widely understood in Saudi Arabia, and many health care providers are unaware of the rules and regulations designed to protect these rights, which may result in suboptimal care. Ignorance of these health rights gives way to misconceptions and portrays a false impression about Islam and Saudi Arabia[11]

12 Basic Patient Rights in Saudi Arabia applicable to all [13]:

1. Right to access Healthcare.
2. Information about existence of Patient rights bill.
3. Providing Healthcare and Services which are based on Respect and Appreciation of Patient.
4. Right to Privacy and Confidentiality.
5. Providing Proper Protection and Safety to the patient
6. Involvement in Healthcare Plan Engagement

7. Right of Refusal of Treatment by the patient.

8. Availability of Material Costs and Health Insurance Policy well in advance.

9. Clarity and Comprehensiveness of available Forms and Reports:

10. Availability of Policy and Procedure to register patients' complaints and provision of Suggestions for improvement of the Healthcare system:

11. Availability of Policy and Procedure for Organ and Tissue Donation while transplantation.

12. Patients Participation in the Research and Study Programs at healthcare facility.

Special Additional Rights to paediatric patients

In addition to the 12 general rights mentioned above there are Additional Rights given to Cancer Patients

General health rights for cancer patients:

- The patient alone shall have the right to know the diagnosis, and his/her family members are not entitled to know the diagnosis without the patient's consent.
- The patient shall have the right to file a complaint if his/her diagnosis is disclosed without his/her written consent.
- The cancer patient (adult sane) shall have the right alone to

make decisions by agreeing to chemotherapy and radiotherapy, and this does not require the consent of the parent.

- The patient alone shall have the right to make a decision to agree to a surgical intervention, such as a lumpectomy, or a mastectomy; and this does not require the consent of the parent.

Reproductive Health Rights of

Cancer Patients:

- A cancer patient shall have the right to be provided with all health information about his/her disease.

- The patient shall have the right to be well informed about the impact of cancer/cancer treatments on fertility and their chance of having children in the future.

- The patient shall have the right to be well informed about the importance of visiting an infertility doctor and referring them before starting chemotherapy to know the methods of preserving fertility available in the Kingdom.

The patient shall have the right to know the jurisprudence rulings regulating all fertility preservation methods available locally, or if the treatment is done abroad.

Pregnancy and Cancer:

- A female patient with cancer shall have the right to know her chance of becoming pregnant in the future and when she can become pregnant.

- A woman who is pregnant while suffering from cancer or who is diagnosed with cancer while she is pregnant shall have the right to be supervised by a specialized team of oncologists, obstetricians and pediatrics, as well as the right to discuss the ethical and legal aspects according to her situation.

- Both spouses shall have the right to participate in decision-making after providing them with all the information, i.e. health empowerment so that they are better able to make the decision.

Cancer Patients' Rights at Work:

- A cancer patient shall not be discriminated against or dismissed as long as he/she is able to work.

- The employer shall not be entitled to request information about the patient's health condition except after obtaining the patient's permission.

- The patient shall have the right to leave on the days of taking chemotherapy or for surgery.

Right to Genetic Testing:

- A cancer patient shall have the right to be provided with

sufficient information about the role of the genetic factor.

- They shall be referred to a specialist if there is a family history and the woman requests a referral.

- The female patient shall have the right to know the decisions that result from conducting a genetic test before starting it. She shall also be provided with health information that helps her to make the appropriate decision for herself and her family.

Cancer Patient's Right to Pain Treatment:

- The patient, especially advanced cases, shall have the right to receive pain medication to live and die in peace.

- He/she shall have the right to participate in private medical decisions

- Treating pain and enabling the patient to choose from all their health-related options.

Right to Palliative Treatment:

- The patient shall have the right to be provided with specialized care in the final stages of the disease.

- The patient shall have the right to be supported psychologically and religiously.

Right not to Resuscitate:

- It is the right of the patient, according to his/her health condition, to present the matter

to them medically and in line with the Shariah decisions.

- The patient shall have the right to be treated kindly when being notified and taking into account their situation; and the manner of notification shall be according to the patient's age, health and psychological condition, and according to what the doctor deems with his/her experience of the patient's ability to understand and tolerate the information.

- The patient shall have the right to make the decision or delegate the decision on their behalf in writing.

Rights of Young Cancer patients

Due to the specificity of this age group, especially in this type of disease, and their unique structural medical, social and economic needs, this article has been allocated. In addition to what was mentioned in articles (1 to 12) and the previous articles about the rights of cancer patients, this category includes rights that must be taken into consideration:

- The right to prevention: through educating them about cancer and early detection programs.

- The right to prompt diagnosis and treatment of suspected and confirmed cases.

- The right to qualified multidisciplinary medical professionals with significant experience in treating cancer of this age group.
- Receiving psychological and social support as well as friendly treatment by specialists.
- Fertility preservation and providing information and advice on the short and long term effects of cancer as well as the treatments that affect fertility.

Discussion: Apart from 12 basic rights special rights has been provided to patients with cancer. The patient alone have the right to know the diagnosis and subsequent therapy and surgery, family have a limited role in consenting for patient. This increases the supremacy of patient for his condition. Patient reserves the right to complaint in case of breach of confidentiality. The patient have the right of information about treatment and associated regulations and facilities. This will make the healthcare facilities more responsible for cancer patient management. Female cancer patients who want to get pregnant or the diagnosis of cancer is made after being pregnant have special access to competent specialist and can

consult legal and ethical aspects. This provision may decrease the stress and depression to women and couple who are planning pregnancy while restricted because of cancer. Patients with cancer can work similarly to others without any discrimination. Patient can maintain privacy by withholding information from employer.

If we review the legal rights of the patients in Saudi Arabia, it is very clear that the cancer patients have supremacy over others. The privacy, confidentiality and decision taking capacity has been potentiated for patients with cancer. The right to know about the diagnosis is reserved with patient and in case of any breach of confidentiality the patient can raise complaint to authorities. The question here is whether we are compromising with rights of other stakeholders including family members, while protecting the rights of cancer patients. To protect the rights of cancer patients, medical practitioners have an obligation to counsel their patients in a confidential setting regarding their desire to receive information and make decisions or whether they would rather have family members to be actively

involved in the decision-making process[11]. In Islam and medical ethics, the law is clear about privacy in general for medical issues [12]

Conclusion: It is concluded that in Saudi Arabia, cancer patients enjoys special rights apart from 12 basic right given to all patients. There is special provision General health rights for cancer patients, Pregnancy and Cancer, Cancer Patients' Rights at Work, Right to Genetic Testing, Reproductive Health Rights of Cancer Patients, Cancer Patient's Right to Pain Treatment, Right to Palliative Treatment, Rights of Young Cancer patients. It is also concluded that cancer patients' rights are very well documented, protected and applied in Saudi Arabia.

Ignorance of these health rights gives way to misconceptions and portrays a false impression. Authors are of opinion that Ministry of Health, Saudi Arabia is a role model when we talk in terms of Rights of Cancer patients.

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