

FUNDAMENTAL RIGHTS OF PHYSICIANS

SWISSpsy INSTITUTE

THINK TANK Nr. 2

“ Health Aspects in Health Systems “

HUMAN RIGHTS AND THE PHYSICIANS

- ◆ The theory of human rights is based on the idea that they have their foundation and origin in man himself.
- ◆ They are not , they cannot be, a concession of society. They are attributes of the human person.
- ◆ Human rights are universally accepted principles or ideas and recognized in international law.

HUMAN RIGHTS AND PHYSICIANS

- ♦ Link between human rights and health: the enormous philosophical and humanistic content.
 - 1) the physician himself is a human being and as such enjoys these rights
 - 2) the physician as a defender and guarantor of human rights through its professional practice and often by his resolute refusal to be given to dubious or downright abusive practices.

HUMAN RIGHTS AND HUMAN OBLIGATIONS

- ◆ Link between human rights and human obligations: Every human being happens to be a beneficiary of the respect of his human rights, by which he is in turn bound by this same respect to respect the human rights of the other human beings, including himself.
- ◆ In other words, every right creates an obligation and vice versa. To illustrate this link, just one example: in the field of the right to health, the obligation is caring for one's health, and for the health care system that guarantees the right to health care.

BALANCE BETWEEN RIGHTS AND OBLIGATIONS

- ◆ We discovered that in several areas concerning health systems, rights and obligations do not match and are not balanced with each other.
- ◆ We found that chronic and serious imbalances pose a serious risk not only for the health of doctors, but also for the health of health systems themselves.

RIGHTS/OBLIGATIONS OF PHYSICIANS

- ◆ Rights / Obligations in the field of their own health
- ◆ Rights / Obligations in the area of the dignity of the medical profession
- ◆ Rights / Obligations in the field of professional training
- ◆ Rights / Obligation in the field of the exercise of the profession

RIGHTS/OBLIGATIONS OF PHYSICIANS

- ◆ Rights / Obligations in the field of remuneration
- ◆ Rights / Obligations in the field of the doctor-patient relationship
- ◆ Rights / Obligations in the field of research and teaching
- ◆ Rights / Obligations in the field of the health system

FUNDAMENTAL RIGHTS OF PHYSICIANS

- ◆ 1. To be freely chosen by their patients as a repository for their health and confidence.
- ◆ 2. Receive dignity and respect.
- ◆ 3. Have access to continuing medical education and be considered on equal opportunities for professional development.
- ◆ 4. Have the availability and timely human and material resources necessary for the proper performance of his career.

FUNDAMENTAL RIGHTS OF PHYSICIANS

- ♦ 5. To receive protection and compensation for health damage and harm that they cause, arising and / or resulting from acts proper to the practice of their profession.
- ♦ 6. To receive extra compensation for professional risks.
- ♦ 7. - Receive compensation for their professional obligation to assist anyone in any situation anywhere in the world.

FUNDAMENTAL RIGHTS OF PHYSICIANS

- ◆ 8. To receive a fair fee or salary, commensurate with their dignity, responsibility and preparation, regardless of the outcome of their work.
- ◆ 9. Protection, preservation and restoration of their professional standing.
- ◆ 10. Getting associated for the defense of their professional interests and not receive differential or discriminatory treatment.
- ◆ 11. Autonomy of practice.

FUNDAMENTAL RIGHTS OF PHYSICIANS

- ◆ 12. Participate freely in patient care.
- ◆ 13. Access to research and teaching in the field of their profession.
- ◆ 14. Get evaluation of their practice in all areas by doctors with equal or superior knowledge.
- ◆ 15. To participate on equal terms in commissions on development and establishment of budgets, rates and scales of their health care.
- ◆ 16. To participate on equal terms in the planning, development and management of health systems.

FUNDAMENTAL RIGHTS AND HEALTH POLICY

- ◆ We observe that fundamental rights of health-professionals are not explicitly considered in health policy by politicians
- ◆ We observe that in professional policy fundamental rights of physicians are not explicitly considered either by the physicians themselves
- ◆ In the dialogue and negotiations between politicians and physicians concerning health policy the fundamental rights of physicians are not explicitly considered

HEALTHY HEALTH SYSTEMS

- ◆ Health Systems' Health needs a sustainable balance between rights and obligations concerning all areas of the system
- ◆ Health Systems' Health needs a sustainable balance in the structure of the system itself
- ◆ Health Systems' Health needs healthy health – professionals
- ◆ Health Systems' Health needs being considered as something alive that can get sick if not sufficiently cared for

EMPOWERMENT OF PHYSICIANS

- ◆ Increasing the awareness concerning their fundamental rights is a must for the physicians's own health
- ◆ Substituting mere position papers, opinions, statements and declarations by confronting their partners in health policy with their fundamental rights is a must for their own health and dignity
- ◆ Increasing the awareness, that health systems don't exist without physicians is a must for healthy health professionals and healthy health systems

THANK YOU FOR YOUR ATTENTION

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