

## Mr Green Goes to Hospital

Sometimes things go wrong when we receive health care or disability services. Sometimes we can be unsure what to do about it. But it is easy to get help.

### *Mr Green's illness*

Stuart Green (not his real name) was a 63-year-old man who was very active, working full time, and living independently in his own home, when he was diagnosed with cancer. All the tests showed that the cancer was in the early stages and, as he was such a fit man, the clinicians had no reason to be concerned about him having surgery.

Surgery went well and Mr Green was discharged as planned to the home of one of his daughters. The next day he complained of severe pains in his arm. His mental state appeared to have deteriorated — he did not recognise his daughter and did not know where he was. His daughter called his GP, who had Mr Green re-admitted to hospital. Tests failed to show what was causing either the pain in his arm or his altered mental state. Family members were concerned about their father's health, but when they questioned staff they felt they were being given conflicting information: a nurse told them that the cancer had probably 'gone to his brain' and another that his arm had probably been accidentally broken during the operation. Mr Green's daughters felt that they were not being told 'the full story' by staff. It seemed as if talking to the hospital staff about their concerns was only making matters worse and undermining the confidence the family had in the hospital team.

When she was at the hospital visiting their father, one of Mr Green's daughters noticed a red poster on the wall in the corridor. It said: ***Your Rights when Receiving a Health or Disability service*** and gave a number to ring to get help.

### *Consumers' rights*

In New Zealand, everyone using a health or disability service has the protection of the Code of Health and Disability Services Consumers' Rights. An independent Commissioner, appointed under the Health and Disability Commissioner Act, promotes and protects these rights by educating providers about their responsibilities under the Code, and facilitating the resolution of complaints made by people who believe their rights have not been upheld.

Under the Code of Rights consumers have the right to:

- be treated with respect and privacy
- fair treatment
- dignity and independence
- be treated with care and skill
- effective communication
- all the information they need
- make their own decisions
- a support person at most times
- rights during teaching and research
- have a complaint taken seriously.

### *Advocacy service*

Independent advocates are available to support consumers to uphold their rights under this Act. There are more than 40 independent advocates nationwide who can assist people who are unhappy with the health care or disability services they have received. They listen to problems, give information about consumer rights and help to identify and clarify issues. They work with consumers to explore the options available for resolving their concerns, and support them in taking action. Advocacy services are free.

### *Resolving concerns about Mr Green's care*

Mr Green's daughter called the number on the poster **0800 555 050** and was referred to an advocate in her local community. The advocate arranged for an urgent family conference with both clinicians and senior nursing staff. The hospital co-operated fully and made a private room available at short notice. The advocate helped the family prepare the many questions they had, and supported them at the meeting.

The meeting went well. The clinicians were very open to the family's questions and honest with them about the operation and subsequent clinical test results. They discussed options for treatment. Hospital staff acknowledged that conflicting information can cause distress for a family. They agreed that there would be a clear communication pathway with the family, with two senior nurses being the first point of contact. The consultants offered to meet with the family again.

The family felt they had been listened to and said they had a greater understanding of their father's condition and his prognosis. They understood that he had neither 'cancer on the brain' nor a broken arm, and that with time he was expected to make a full recovery.

Mr Green did make a full recovery and, although he decided to retire, still has an active life. He continues to live independently in his own home and occasionally travels to Australia to visit his son and grandchildren.

### *Complaints help improve services*

If you are unhappy about a health or disability service you have received, or something goes wrong with your care, you can complain — to the person who provided the service, to an advocate, or to the Commissioner, who will decide the most appropriate action to take. The Commissioner uses complaints to educate providers about improving the quality of their service and reduce the likelihood of future consumers experiencing similar problems.

**Elizabeth Finn**  
**Education Manager**

*Retirement Today, March 2008*