

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

**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](http://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                                 |
|-----------------------------------|-----------------|-----|-----|------------|-------------------|--|
| <b>Mortality*</b>                 | 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                        |
| <b>Health status</b>              | 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                            |
| <b>Specific health conditions</b> | 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                                    |
| <b>Disability</b>                 | 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                            |
| <b>Mental health</b>              | 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                                    |
| <b>Health related lifestyle</b>   | 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                                    |
| <b>Access to health care</b>      | 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

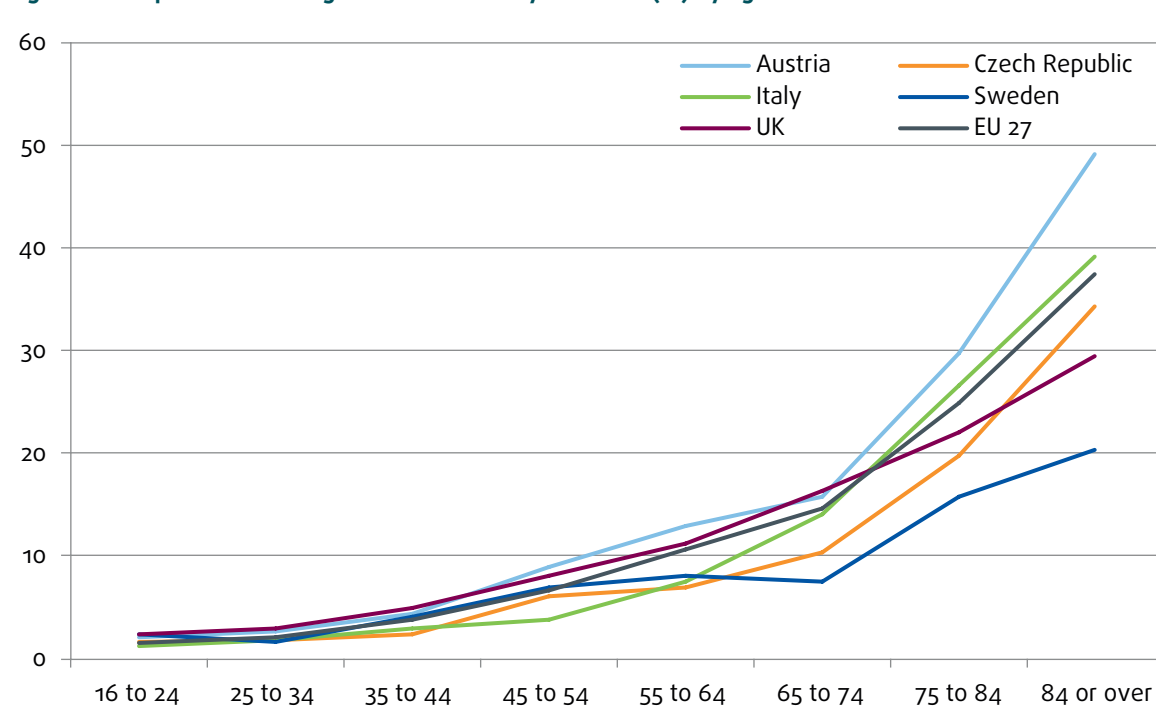
**Table 3: Health condition by 'disability'\* and sex, EU-27 (%)**

|                      | 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         |
| <b>Females Total</b> |                | <b>100.0</b>                                      | <b>100.0</b> | <b>100.0</b>    | <b>100.0</b> | <b>100.0</b> |
| 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         |
| <b>Males Total</b>   |                | <b>100.0</b>                                      | <b>100.0</b> | <b>100.0</b>    | <b>100.0</b> | <b>100.0</b> |

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)