

世界醫學會 關於患者權益的里斯本宣言

Declaration of Lisbon on The Rights of The Patient

- Right to medical care of good quality (接受良好品質之醫療的權利)
 - Every person is entitled without discrimination to appropriate medical care. (接受醫療不能有歧視)
 - Every patient has the right to be cared for by a physician whom he/she knows to be free to make clinical and ethical judgements without any outside interference. (專業人員的判斷不能受臨床或是倫理之外的干擾因素影響)
 - The patient shall always be treated in accordance with his/her best interests. The treatment applied shall be in accordance with generally approved medical principles. (依照被認可的醫療原則與病人的最佳利益給予治療)
 - Quality assurance always should be a part of health care. Physicians, in particular, should accept responsibility for being guardians of the quality of medical services. (醫師必須負起醫療照護品質的責任)
 - In circumstances where a choice must be made between potential patients for a particular treatment which is in limited supply, all such patients are entitled to a fair selection procedure for that treatment. That choice must be based on medical criteria and made without discrimination. (分配稀有醫療資源時必須根據醫療的準則與沒有歧視的原則來進行治療步驟的選擇)
 - The patient has the right of continuity of health care. The physician has an obligation to cooperate in the coordination of medically indicated care with other health care providers treating the patient. The physician may not discontinue treatment of a patient as long as further treatment is medically indicated, without giving the patient reasonable assistance and sufficient opportunity to make alternative arrangements for care. (醫師必須互相協調、作萬全的相關安排，以保醫療照護的延續性)
- Right to freedom of choice (自由選擇的權利)
 - The patient has the right to choose freely and change his/her

physician and hospital or health service institution, regardless of whether they are based in the private or public sector. (自由選擇醫師與醫療機構的權利)

- The patient has the right to ask for the opinion of another physician at any stage. (隨時都有徵詢其他意見的權利)
- Right to self-determination (自主決定的權利)
 - The patient has the right to self-determination, to make free decisions regarding himself/herself. The physician will inform the patient of the consequences of his/her decisions. (病人有自主決定的權利)
 - A mentally competent adult patient has the right to give or withhold consent to any diagnostic procedure or therapy. The patient has the right to the information necessary to make his/her decisions. The patient should understand clearly what is the purpose of any test or treatment, what the results would imply, and what would be the implications of withholding consent. (有知道攸關自主決定相關訊息的權利)
 - The patient has the right to refuse to participate in research or the teaching of medicine. (有權利拒絕參與研究或是教學)
- The unconscious patient (失去意識的病人)
 - If the patient is unconscious or otherwise unable to express his/her will, informed consent must be obtained whenever possible, from a legally entitled representative where legally relevant. (失去意識的病人必須尋求法定的代理人同意)
 - If a legally entitled representative is not available, but a medical intervention is urgently needed, consent of the patient may be presumed, unless it is obvious and beyond any doubt on the basis of the patient's previous firm expression or conviction that he/she would refuse consent to the intervention in that situation. (除非病人曾有明確的表達，否則在危急的狀態法定代理人不可得時，可將病人的同意視為當然)
 - However, physicians should always try to save the life of a patient unconscious due to a suicide attempt. (即使是自殺式去意識的病人，醫師應該盡量嘗試挽救其生命)

- The legally incompetent patient (法定失能的病人)
 - If a patient is a minor or otherwise legally incompetent the consent of a legally entitled representative, where legally relevant, is required. Nevertheless the patient must be involved in the decision making to the fullest extent allowed by his/her capacity. (即使是法定失能的病人也要讓她／他在過程中盡量參與決策)
 - If the legally incompetent patient can make rational decisions, his/her decisions must be respected, and he/she has the right to forbid the disclosure of information to his/her legally entitled representative. (當法定失能的病人做出合理的決定時必須與以尊重，並享有拒絕讓法定代理人知悉相關訊息的權利)
 - If the patient's legally entitled representative, or a person authorized by the patient, forbids treatment which is, in the opinion of the physician, in the patient's best interest, the physician should challenge this decision in the relevant legal or other institution. In case of emergency, the physician will act in the patient's best interest. (如果病人的代理人做出違反病人最佳利益的決定時，醫師有義務在相關的法律機構挑戰這項決定，如在危急時則以病人的最佳利益從事醫療行為)
- Procedures against the patient's will (違反病人意願的醫療程序)
 - Diagnostic procedures or treatment against the patient's will can be carried out only in exceptional cases, if specifically permitted by law and conforming to the principles of medical ethics (僅有在法律授權或是符合醫療倫理時，可以採取違反病人意願的診斷或是治療步驟)
- Right to information (知的權利)
 - The patient has the right to receive information about himself/herself recorded in any of his/her medical records, and to be fully informed about his/her health status including the medical facts about his/her condition. However, confidential information in the patient's records about a third party should not be given to the patient without the consent of that third party. (病人有權知道病歷上攸關她／他的訊息與醫療健康狀況，但病歷上如有攸關第三者的保密資訊，則應徵得第三者的同意才能透露給病人)
 - Exceptionally, information may be withheld from the patient when

there is good reason to believe that this information would create a serious hazard to his/her life or health. (只有在訊息揭露可能對病人造成重大生命或是健康危害時，才是可隱蔽資訊的例外狀況)

- Information must be given in a way appropriate to the local culture and in such a way that the patient can understand. (必需以符合地方文化的方式來合適地給予資訊，確保病人能夠理解)
- The patient has the right not to be informed on his/her explicit request, unless required for the protection of another person's life. (病人有明確表達不要被告知的權利，除非是基於保護其他人的生命)
- The patient has the right to choose who, if anyone, should be informed on his/her behalf. (決定何人可被告知的權利)
- Right to confidentiality (保密的權利)
 - All identifiable information about a patient's health status, medical condition, diagnosis, prognosis and treatment and all other information of a personal kind, must be kept confidential, even after death. Exceptionally, descendants may have a right of access to information that would inform them of their health risks. (即便在病人死後都應落實保密原則，除非後代子孫需要獲得攸關他們健康風險的資訊)
 - Confidential information can only be disclosed if the patient gives explicit consent or if expressly provided for in the law. Information can be disclosed to other health care providers only on a strictly "need to know" basis unless the patient has given explicit consent. (除非是法律明確的規範或是病人明確的意願表達，保密訊息才得以揭露，提供給其他的健康服務人員是在專業必須的基礎上，否則仍應徵得病人明確的同意)
 - All identifiable patient data must be protected. The protection of the data must be appropriate to the manner of its storage. Human substances from which identifiable data can be derived must be likewise protected. (所有可辨認出病人的資料都必須被保護，資料儲存的方式必須符合保密原則，可衍生出辨人病人資訊的人體物質都必須被保護)
 - Right to Health Education Every person has the right to health education that will assist him/her in making informed choices about

personal health and about the available health services. The education should include information about healthy lifestyles and about methods of prevention and early detection of illnesses. The personal responsibility of everybody for his/her own health should be stressed. Physicians have an obligation to participate actively in educational efforts. (每人都有獲得健康教育的權利，內容包括健康的生活模式、疾病預防與早期發現的方法，其中必須強調個人對於自身健康的責任，醫師有義務積極參與相關的教育活動)

- Right to dignity The patient's dignity and right to privacy shall be respected at all times in medical care and teaching, as shall his/her culture and values. (必須根據病人的文化與價值來保障其尊嚴與隱私權)
- The patient is entitled to relief of his/her suffering according to the current state of knowledge. (有權利根據現存的知識來減輕其痛苦)
- The patient is entitled to humane terminal care and to be provided with all available assistance in making dying as dignified and comfortable as possible. (人道與舒適的安寧療護)
- Right to religious assistance The patient has the right to receive or to decline spiritual and moral comfort including the help of a minister of his/her chosen religion. (病人有權力接受或是拒絕心靈或是道德上的安慰，包括她／他所選擇宗教之牧師(神職人員)所提供的幫助。)