

# Patients' Rights Bill passed today

- ✘ MSPs voted unanimously to pass The Patients Rights (Scotland) Bill today.

The Law Society of Scotland agrees with the general principles of the Bill which was introduced by Nicola Sturgeon, Cabinet Secretary for Health & Wellbeing, on 17 March 2010. The Bill makes provision about the rights of patients when receiving health care. The policy intention of the Bill is to send out a strong signal that the NHS exists to serve and care for patients by putting patients' rights into law.

The Society has been actively involved with the Scottish Parliament as the Bill has progressed, having submitted both oral and written evidence, proposed amendments and submitted a stage 3 letter to all MSPs in advance of the stage 3 debate today.

The Society wanted to ensure that patients' rights were not prescriptive to those only included in the Bill. The Society believed the section in the Bill which detailed the advice and guidance to patients on their rights was far too narrow and called for this section to be removed due to its restrictiveness. It was also felt there was a need for the Patient Advice and Support Service to be obliged to provide a patient with advice and guidance on all their rights.

Hilary Patrick, vice-convenor of the Society's Mental Health & Disability Sub Committee, said: "In an enhanced rights environment, it is vital that people are made fully aware of the rights they have as users of health care services. We were concerned that while the Bill would send out a strong message that patients have rights, it did not give a full enough picture of what those rights were. Numerous other rights are

conferred on patients both under statute and common law and we are delighted this amendment has been accepted into the draft legislation.

The amendment was brought forward in the name of Mary Scanlon MSP during the debate and supported by Nicola Sturgeon MSP, the originator of the Bill.

Ms Patrick added: "This amendment at stage 3 is crucial to ensure patients understand and are aware of all their rights."

The Society's manifesto for 2011 called for each new act passed by Scottish Parliament to be accompanied by an information leaflet and online information that properly explains the new law and its impact on the citizen to enhance public knowledge and understanding of the legal system.