

BAGP Info 6b (englisch)

Informationen der
BundesArbeitsGemeinschaft der
Patient*innenstellen



Patients' rights and Doctors' Duties

It is often difficult for German-speaking citizens to understand the „medical language“. It is even more difficult if you do not know the German language or do not know it well. In addition, there may be communication difficulties due to cultural differences. Translation costs are usually not covered by statutory health insurance.

In Germany, doctors usually have little time for the individual patient. Unfortunately, the German health care system is very complex. We would therefore like to inform you about your rights as a patient and how you can better understand the German health care system. We also point out possibilities of support in case of communication difficulties.

This information is also available in the following languages:
Arabic, French, German, Polish, Russian, Turkish ...

When we write „doctor“ or „patient“ in the following or use the masculine form in the text, we always mean all genders (male/female/diverse). This makes the text easier to read.

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How to communicate with my doctor

Even if you understand the German language, communication during medical consultation or treatment can be difficult.

Especially in larger cities, there are often doctors or therapists who speak your native language. You can find these, for example, via: <https://www.kbv.de/html/arztsuche.php>.

Translation help from your own family

It is a great advantage if one person in your own family speaks German well. But please keep in mind that children can be emotionally overwhelmed with the translation of some topics or do not have the necessary medical terminology and knowledge.

Translation assistance through interpreters

However, you can also hire an interpreter to accompany you or to be present during the conversation with the doctor via video.

Interpreter costs are not covered by health insurance and must be paid by yourself. The costs can be between 70 - 85 € per hour. If you have lack of money, ask for special conditions.

Inform the doctor in advance that you will bring an interpreter with you so that you do not have to wait and he/she takes enough time for the appointment. You will have to pay for the interpreter for the entire time, including any waiting time.

In individual cases, institutions for migrants also offer volunteer help with translations.

Hospital translation assistance

During inpatient care at the hospital, there is often an opportunity for someone on the staff who speaks your language to help translate for you free of charge if you agree.

Patients' rights and physicians' duties

Especially in a country that is still foreign, you should also know your rights. In Germany, there has been a Patients' Rights Act in the Civil Code (BGB) since February 2013. Here we briefly present your essential rights as a patient:

Free choice of doctor

You have the right to choose your own doctor. If you are a member of a statutory health insurance fund, you must choose a doctor who is licensed by the health insurance fund (not a private doctor). You can find addresses, for example, of the Association of Statutory Health Insurance Physicians (<https://www.kbv.de/html/arztsuche.php>).

Treatment obligation

A doctor must treat every patient covered by the health insurance scheme. If the doctor is overloaded or if the confidence is interrupted, he may also refuse the treatment. In an emergency, in case of danger to life and health, every doctor must treat you.

Make an appointment

If you have made an appointment with the doctor's office, you and also the doctor must keep this appointment, or cancel it in time, at least one day (24 hours) before. If you are prevented at short notice (for example, accident or illness), inform the practice as soon as possible. Otherwise, the doctor may charge you a cancellation fee.

Change of doctor

If you are dissatisfied with the doctor's treatment, you can choose another doctor. If you want to change doctors during an ongoing (dental) treatment, you must inform the health insurance company. A doctor may also end a treatment if there is no mutual trust

Hospital selection

You are also free to choose the hospital, but there are restrictions. As a rule, the doctor will refer you to a nearby hospital or to a specialized clinic. If you choose a hospital further away than the nearest one, you will have to pay the additional costs (for example, travel costs) yourself. In the hospital there is no free choice of doctor, you will be treated by the doctor who is currently on duty. Private patients are free to choose their own doctor.

Treatment agreement

Medical treatment creates a contract between you and your doctor. You must present your insurance card at the time of registration. The physician or practitioner owes you the agreed treatment, and you as the patient are obliged to pay if a health insurance company does not cover the costs. The treatment contract gives rise to further rights and obligations for both of you.

If you do not have health insurance, you must pay for medical treatment privately. However, some cities and towns have assistance systems that provide initial examination and emergency care in case of illness, injury or pregnancy. These services are financed by donations and the employees are volunteers.

Attention: For persons residing in Germany, there is an obligation to have health insurance coverage. Our counseling centers will advise you on this.

Medical history and diagnosis

The doctor must examine you thoroughly. He must give you the time to describe previous illnesses and current complaints. High-risk and stressful examinations may only be performed if it is absolutely necessary for the diagnosis and you have been informed about the risks and have consented.

Treatment

Treatment must be provided in a manner consistent with the current professional state of medical knowledge and skill.

Benefits and co-payments

For people with health insurance, the doctor is only allowed to provide what are known as „health insurance benefits,“ which means that the services must be medically necessary, sufficient, appropriate, and economical.

You have to pay extra for many services - usually between 5-10 euros, for example for medicines, remedies, aids, travel costs or 10 euros per day in hospital. These co-payments only have to be paid up to a certain amount, the individual limit of payment (this is 2% of your annual gross income). So keep the receipts of the co-payments.

There are special regulations for insured persons with low incomes.

Clarification

The doctor must inform you in an understandable way before and during the treatment. This applies in particular to the diagnosis, the probable health development, the therapy and the measures that are necessary during and after the therapy. This also applies to possible risks and side effects of medication.

The physician should point out possible alternatives if several methods can lead to substantially different charges, risks or chances of recovery. If the doctor knows that the costs of the treatment will not be fully covered by the health insurance, he must inform you in writing about the probable costs before the treatment begins.

Second opinion

If it is necessary for a therapy decision, you can also obtain another opinion from another doctor. In the case of certain operations that can be planned (e.g. insertion of an artificial knee joint), there is a legal entitlement to a second doctor's opinion.

Agreement

Only when you understand the doctor's explanations and you give your consent to the medical treatment, the doctor may start the treatment. Report to him immediately if you have not understood anything.

Patient directive

The Patient Welfare Order is a voluntary written declaration for the possible event that you yourself are no longer capable of giving consent (for example, due to a serious illness). In this directive, you can specify whether or not certain medical examinations, treatments or interventions should be carried out.

Documentation

The doctor must write down all essential steps of the treatment and all treatment data. These records of yours must be kept for ten years.

Access to patient records

You can have a copy of these documents handed over to you - often for a fee. Inspection or copying can only be refused in exceptional cases if there are „significant therapeutic reasons“ or „third party rights“ to the contrary.

Confidentiality

Doctors or other health care professionals (nurses, psychotherapists...) are subject to the duty of confidentiality. The duty of confidentiality also applies to relatives. However, you can release your doctor from the duty of confidentiality with a power of attorney.

There is also a doctor's duty of confidentiality towards the parents of underage children and adolescents, but the exact regulation is complicated. In principle, however, doctors must also observe medical confidentiality towards the parents of a patient over the age of 15.

Individual health care services (IGeL)

IGeL are medical, dental and psychotherapeutic services that patients generally have to pay for themselves. They are not covered by statutory health insurance. The doctor must discuss them with you before treatment and agree on them in writing.

Any more questions?

If something is still unclear to you, if you still have questions or would like to discuss complaints about a doctor or hospital, please contact us.

You can find out the addresses of the patient advice centers in Germany from our office in Munich.

The patient counseling centers offer an information, counseling and complaint service and an exchange of experiences. All information from those seeking advice is treated anonymously. The patient counseling centers are neutral and independent; they act in the interest of the patient.

Further information options

You can find out about the counseling centers of the members of the National Association of Patient Centers at the

Office of the Federal Working Group of the Patient Centers (BAGP)

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