Your Rights at the Doctor



Introduction

When visiting a doctor you should feel safe and respected. Your doctor should be someone you can talk to and trust. When you decide to see a health professional about an issue it is your choice who you would like to see. The information below will help empower you to know your rights at the doctor.

Choosing your doctor

You get to choose which doctor you would like to see.

Most doctors have information about themselves available online, including what areas of health or the population they have an interest in. This information can be found on the website of the general practice or the health services the doctors work at.

It can be very helpful to have a look at what areas the doctor has a special interest in when choosing a doctor to best suits your needs – e.g. LGBTIQA+ health, mental health, or culturally diverse health.

When you make an appointment you can ask to see a specific doctor, whether this is a doctor you looked up online, a doctor you have seen before, or a doctor that a friend has recommended to you.

If you don't have a doctor you want to see, you can ask the reception about the doctors that are available. For example, you might ask to see a doctor who has extra experience working with young people or you might feel more comfortable with either a female or male doctor.

When you visit the doctor, you have the right to:

- Feel respected and safe with your doctor,
- Ask your doctor questions about your health,
- Be given information about your treatment options in a way that you understand (including the cost of treatment and any risks or side effects),
- Make your own choices about how to treat your health issues (age limits can apply),
- Change your mind if you don't want to continue with any treatment,
- Have your health information kept private and confidential,
- Have a support person, like a friend, family member or youth worker with you when you visit a doctor,
- Go to the appointment without a parent or guardian,
- Have an interpreter with you at the doctor. You can contact your health service to arrange an interpreter in your language before your appointment. Note that you do not need to contact the interpreter service directly. During your visit the interpreter may be either on the telephone or in the room with you. (You can also phone the Translating and Interpreting Service (TIS) on 13 14 50 and ask to be connected to any service),
- Make a complaint if you have a bad experience with a doctor.

Choosing who is in the room with you

You have the right to choose who attends the doctor's appointment with you. You

can always take a friend, parent, or other person with you to see a doctor. If you need an interpreter, the health service can arrange one for you over the phone.

You can see a doctor or health worker confidentially (privately/ on you own) and make a decision about your health if the doctor thinks that you are mature enough to fully understand your health problems and the treatment options. There is no fixed age for this but it is usually about 14 years of age.

Often the doctor will encourage you to involve your parents in decisions about your health. If you are seeing your family's doctor (GP) and would like to see the doctor (GP) confidentially without your parents, let the staff know when you book an appointment or when you check in at the reception of the health service.

You can also call ahead and tell them you will be coming alone, and that you want your health information to be private. This means that you don't want anyone to know about the appointment or what you talk about with your doctor. This is your right.

Choosing a treatment

A treatment is a way to help fix a health issue. For example, giving you a diet plan or taking a medicine depending on your needs.

You should leave your doctor's appointment with a clear idea of the options you have to help treat your health issue.

You should always feel comfortable to ask questions about the treatment options or to get the doctor to explain the meaning of any medical terms that they use.

Sometimes the doctor will need to check with your parent or guardian before they can give you a treatment. This might be if the doctor thinks you are too young to make a decision on your own.

The doctor will talk with you about the treatment and if they feel you are mature enough to make your own decision, they do not need to get permission from your parent or guardian.

It is important that you never feel pressured to make one choice over another. Your doctor might give you advice about what they think is best, but it is your decision about what treatment you would like to have.

The doctor is never allowed you give a medical treatment unless you have given **informed consent (permission)**.

Informed consent means:

- You want to have the treatment,
- You understand how the treatment will work (e.g. what it does, what is involved, what will happen, how long you need to take it for),
- You understand the impacts of the treatment you have chosen (e.g. the risks, side effects and the cost of the treatment),
- You understand the alternative (other) treatment options.

If you change your mind about a treatment, you can talk to your doctor about stopping it. Sometimes there are risks if you stop a treatment early so always talk to your doctor before you stop.

For more information on your legal rights at the doctors or a health service, visit Youth Law Australia.

Your health information is your private information.

When you visit a doctor they will create a file for you.

Your file will contain your health information, including:

- **Your name, address, and date of birth that can be linked to your other health information**,
- **The details of your appointments and your health issues** ,
- **The treatments you've had or medicines you have been prescribed**,
- **Test results**,
- **Other personal information that you may share in your appointments like information about your relationships, sexuality, drug or alcohol use, or mental health.**

Confidentiality

The doctor is usually not allowed to share the information you give them with anyone (including your parents, partner, friends) without talking to you first. This is called confidentiality, where your personal information is protected.

If your doctor thinks you or someone else is at risk of significant harm or if they have concerns about your safety, welfare and wellbeing, they may have to share the information with other people. They are required to do this, by law. This is to make sure that you and others are safe.

If you are under 14, your health information may be shared with your parents without the doctor asking you first, unless you let your health worker or doctor know that you don't want that information shared, and the doctor feels that you are mature enough to make that decision. You should discuss this with your doctor if you have any concerns.

If you feel like you need support to ask for your health information to be kept private, consider bringing an adult you trust, whether it's a friend, other family member or a youth worker, to your appointment to support you.

Other reasons my information may be shared

There are also other situations where your doctor or health workers may need to share your information, here are a few examples:

- With your parents or guardian to assist with your care,
- With a specialist or other doctor, when they make a referral (this is with your permission),
- To get information about other health services you have received,
- To investigate a complaint or incident,
- If required by law for the investigation of a serious crime or to provide evidence in court.

Generally, the doctor will discuss this with you first if they think they need to contact someone else. In an emergency they will contact whoever you have nominated as the person to contact in an emergency.

For more information about confidentiality

- NSW Health confidentiality information for young people
- NSW Health we keep it zipped fact sheet



Privacy and electronic records

Some of your health information is recorded electronically on a government service called My Health Record. My Health Record holds details of your Medicare history like when you saw the doctor and what medicines you were prescribed.

If you're under 14, your parents or guardians manage your record for you. They can look at your record and see health information about you uploaded by your doctor, nurse and Medicare. They can also see your medical tests and medicines, add and delete information, and set extra privacy controls in your record.

If you are 14 and over, you are automatically in charge of your My Health Record account.

When you take control of your My Health Record your parents or guardians will no

longer have access to your health information unless you invite them.

This means you have privacy and control over who can see your health information. If you decide you want help from a parent or guardian, you can invite them to access your record as a nominated representative.

If you have a My Health Record, and if you are worried about a particular medical document being uploaded to your record that your parents or guardian might see or for any other reason, let your doctor, nurse or pharmacist know at the beginning of your visit that you don't want those documents uploaded to your My Health Record.

For further information about My Health Record and how to manage My Health Record visit:
Manage your own record from age 14 (My Health Record)

If you need assistance, you can call My Health Record Helpline (select option 1) **1800 723 471**. The Help line is free from most mobile carriers.