

# Your rights England

A short guide to your rights as an NHS patient in England with intimate health needs.

## You have the right to...

Information about the treatment options available to you <sup>[1]</sup>



Be involved in decisions about your treatment <sup>[2]</sup>



Expect pharmacists and suppliers to provide appropriate advice and fulfil orders for any product approved for use by the NHS <sup>[3]</sup>



Decide where you get your prescription supplies <sup>[4]</sup>

Have supplies delivered discreetly to your home <sup>[8]</sup>



Ask why your local NHS has decided not to fund a particular product <sup>[4]</sup>



Free prescriptions for permanent urology or ostomy needs <sup>[5]</sup>

Receive urgent supplies of medical products from a pharmacy or supplier without a prescription <sup>[9]</sup>



Supplementary items (such as disposable wipes and disposal bags) from pharmacies and suppliers (sometimes known as DACs) <sup>[7]</sup>

"You have the right to receive treatment that meets your needs and reflects your preferences"

– NHS Constitution



### Questions you could ask your doctor:

- What products are available to help with my condition? What are the advantages of different models of device?
- Could different products help me manage my condition?
- Am I entitled to free NHS prescriptions? Can you give me a medical exemption application form?
- If there is a product you feel would help you manage your condition, ask your doctor or nurse whether they can prescribe it. If they say no, you can ask for an explanation why?

### Questions you could ask your pharmacist or medical devices provider:

- Are there any supplementary items that should accompany this product?
- Can you send the order to my home?
- What similar products are available from other manufacturers?
- How do I use and look after these products? Is there anyone I can talk to about it?
- Is there anything you can do to help me manage my condition? Can you prepare me an online personalised care plan?

# Further information

“The NHS Constitution establishes the principles and values of the NHS in England. It sets out the rights for patients which the NHS is committed to achieve by ensuring the fair and effective management of resources and care.”

- [1] **You have the right to be given information about the treatment options available to you**, what they involve and their risks and benefits. *(NHS Constitution)*
- [2] **You have the right to be involved in making decisions about your care** and should be offered the opportunity to participate. The Health and Social Care act requires your local NHS to promote patient involvement in decisions about their treatment. *(Handbook to the NHS Constitution)*
- [3] **Suppliers should fulfil orders for any appliance approved for use on the NHS**. If they are unable to fulfil an order they must either forward the order on to another supplier (if they have your permission to do so) OR provide you with the details of two other suppliers who can fulfil it.

Suppliers should also be able to **provide appropriate advice** about the products they sell, for example how to use, clean and care for them. They may also be able to offer you **online support to help you manage your condition**, for example by preparing you a personalised web-based care plan. *(The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013)*

- [4] Your local NHS has the right to make decisions over which treatments to fund, **you have the right to expect those decisions to be made following a proper consideration of the evidence**. If your local Clinical Commissioning Group decides not to fund a medical device which you and your doctor or healthcare professional feels is right for you, they should explain that decision to you. *(NHS Constitution)*
- [5] **You may be entitled to free prescriptions if you regularly use ostomy or urology appliances**, particularly if:
  - You have a permanent stoma;
  - You need an appliance or continuous surgical dressing because of a permanent fistula (an abnormal passageway between two organs, or an organ and the exterior of the body);
  - Are being treated for cancer, the effects of cancer or the effects of cancer treatment; or
  - You cannot go out without the help of another person because of a continuous physical disability.

Alternatively, if you are over sixty or are on benefits because

of low income you may also be entitled to help with prescription costs.

- [6] **You can decide how to get your prescription supplies dispensed**. You can obtain prescription supplies in five different ways:
  - i. You can let the supply company (sometimes called DACs) handle everything – you place an order with them and they will contact your GP to get the prescription;
  - ii. You can place an order with a supply company and then send them your prescription yourself;
  - iii. Your GP can handle everything – you can ask your GP to send the prescription to your supply company of choice. Some GP practices also have a dispensing arm that may be able to provide your appliance;
  - iv. You can order on the NHS Electronic Prescription Service (EPS) via your GP or nurse. You will need to nominate your supply company and prescriptions will be sent there electronically, reducing delivery time;
  - v. You can take your prescription to a local pharmacy.
- [7] **You have the right to expect pharmacies and suppliers to provide supplementary items** (such as disposable wipes and disposal bags) when fulfilling a prescription for incontinence, stoma, catheter, erectile dysfunction, wound drainage and anal irrigation appliances. *(The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013)*
- [8] **You have the right to have supplies delivered discreetly to your home**. The packaging and method of delivering continence, stoma, catheter, erectile dysfunction, wound drainage and anal irrigation appliances must not indicate the nature of what is being delivered. *(The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013)*
- [9] **You have the right to an urgent supply of appliances from a pharmacy or supplier without a prescription**, if your doctor (or another health professional who can make prescriptions) asks them to do so. This will require your doctor (or the other prescriber) to agree to provide a prescription within 72 hours. *(The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013)*

