



Protection of the patients' rights

with focus on drug users

In the preparation of the brochure, also participated:

Coalition „Sexual and health rights of marginalized communities“, Skopje



ESEM

Association for emancipation, solidarity and
equality of women of R. of Macedonia
Street Maxim Gorki 20/1-4
1000 Skopje
Republic of Macedonia
phone: ++389 (0) 2 3298 295
fax: ++389 (0) 2 3211 453

esem@esem.org.mk
www.esem.org.mk



The brochure is part of the project:
Human rights in health care

The right to health is an internationally recognized right. It was defined for the first time by the World Health Organization as „right of any individual to the best attainable mental and physical health“.

The right to health is most closely related to the protection of patients' rights which represent a set of rights, responsibilities and obligations, based on which individuals request and receive health care.

These rights are stipulated by the Law on protection of patients' rights in Republic of Macedonia.

Individuals who are drug users and drug addicts should have equal access to quality and available health services as all other citizens.

Those individuals are at high health risk, which includes overdosing and death, spreading infectious diseases (HIV, Hepatitis B and C), and somatic and mental health disorders. In addition, as result of their marginalization, they do not have sufficient capacity to fight for their rights, and therefore it is necessary to take activities to inform them about, and to promote and protect their rights as patients.

1. INFORMATION ABOUT AVAILABLE HEALTH SERVICES FOR TREATMENT OF OPIATE ADDICTION

Methadone treatment within the national network of public health services

The treatment of drugs users with substitution methadone therapy is carried out throughout the whole country through the services for prevention and treatment of drug abuse in the following towns: Tetovo, Ohrid, Bitola, Gevgelija, Strumica, Kavadarci, Kumanovo, Shtip and Veles.

On the territory of the City of Skopje, individuals who are drug addicts are treated with methadone therapy at the Centre for prevention and treatment of drugs and other psychoactive substances abuse in Kisela Voda – Skopje (i.e. a department of the Psychiatric clinic in Skopje) and the Service located in the area of the former Clinical centre Skopje, under the competence of the Centre for prevention and treatment of drugs and other psychotropic substances abuse in Kisela Voda – Skopje.

Since April 2012, the city general hospital '8 Septemvri' in the municipality of Karposh, Skopje started the admission of patients and the program for treatment of drug addiction.

The methadone treatment is administered according to the instructions for performing the medical activity that refer to the use of methadone for opiate addiction treatment.

Methadone treatment at the public medical institutions is free of charge.

The following examinations need to be undertaken in order to initiate the methadone treatment:

- Complete physical and psychiatric check-up;
- Laboratory tests (blood test, lipids and sugar blood levels, Hepatitis C and HIV).

To administer the treatment for individuals aged 16-18, consent is required from parent/custodian.

For individuals under the age of 16 there is no possibility for adequate treatment within the existing system for treatment.

The individuals from the penitentiary institution Idrizovo – Skopje are also covered with the substitution methadone therapy.



RIGHT
to health

Buprenorphine treatment within the national network of public health services

- The Program for buprenorphine treatment is carried out at the public medical institution University clinic for toxicology - Skopje.

- The amount of 9000 to 26 000 MKD (price which is set by the Health Insurance Fund) is charged for the buprenorphine treatment at the public medical institutions for a hospital treatment, which can last from 5 to 7 days.

- One or two months after the hospital treatment, the patient individually pays for the prescribed buprenorphine therapy.

- One or two months after the treatment, based on a case by case assessment, a five-member commission (according to the criteria for administration of buprenorphine treatment) decides whether the patient shall receive therapy for further treatment for free.

- The following examinations need to be undertaken in order to initiate the buprenorphine treatment:

- Complete physical and psychiatric check-up;
- Laboratory tests (blood test, lipids and sugar blood levels, Hepatitis C and HIV).

- To administer the treatment for individuals aged 16-18, consent is required from parent/custodian.

- For individuals under the age of 16 there is no possibility for adequate treatment within the existing system for treatment.

- The network of medical institutions that provide treatment for drug addiction also includes several private psychiatric practices, the services of which are paid privately.

- In addition to the pharmacological therapy treatment, there are therapeutic communities in Republic of Macedonia, as follows:

- POKROV Strumica;
- RETO NADEZ Skopje.

2. PATIENTS' RIGHTS

All citizens of Republic of Macedonia are enabled to realize their rights, established needs and interests regarding the prevention and treatment of drug addiction.

Treatment should be available to all without any discrimination

Nobody should be discriminated against based on the current or past history of drugs use or addiction. Nondiscrimination means that all individuals who are drug addicts and want to receive treatment should have access to drug addiction treatment regardless of gender, race, skin color, language, religion, political or any other opinion, national or social background, national minority, material status, birth origin, sexual orientation or any other status.

Example

The closed list for admission of new patients for methadone therapy puts the individuals that need the treatment into unfavorable position compared to other patients who need other health services and directly access them, but also to the individuals that already receive methadone or buprenorphine treatment.

Right to provision of emergency medical services at the place of residence

If a drug user needs emergency medical service, which if not provided in short period of time can cause irreparable and severe harm to the patient's health or his/her death, urgent medical service should be provided at the closest medical institution which has an organized urgent medical services unit.

Example

A drug user from Roma ethnicity does not receive emergency medical service because of the place of residence which is known to the emergency medical services unit as place inhabited by Roma people with poor infrastructure and hygiene.

Care, treatment and rehabilitation

The patient should be provided care, treatment and rehabilitation, based on the patient's individual needs and capabilities and in accordance with available medical methods and possibilities, and the regulations for health care and health insurance. Furthermore, the psychosocial support for the individuals who are treated for addiction is very important part of the treatment process.

Example

Individuals addicted to drugs should have individual treatment plan that covers individual determination of the therapy dose and individual plan for work with a psychiatrist, psychologist and social worker.

Respect for the personality and dignity

All patients should be treated with respect and humanity. The health worker should establish humane (human) relations with the patient.

Example

Health workers harm the personality and dignity of patients who are drug addicts when they do not treat them as people who really need medical assistance because of the fact that they are addicts. Health workers blame drug addicts for their situation, i.e. that they are individually responsible for the health problems as consequence from using drugs. People who are drug addicts often hear comments such as: “You brought yourself to this situation, it’s your fault”.

Right to personal safety

The medical institution is obligated to ensure the personal safety of the patients during their stay at the medical institution.

Example

There are cases when the police is searching for and detaining individuals from the area surrounding the hospital, where the patients receive treatment for addiction. Such cases create fear and uncertainty in patients about the use of health services, which impacts the quality of treatment.

Right to be informed

Individuals who receive treatment must be informed about their health status, medical evaluation of results and outcome of the intervention and the possible consequences, recommended medical interventions, planned dates for undertaking the program for treatment and rehabilitation, as well as advantages and risks from undertaking, i.e. due to not undertaking the recommended medical interventions.

Example

In practice, health workers refuse the admission of drug users for methadone treatment under the explanation that the list is closed and do not state the time period for their admission for treatment.

Right to voluntary participation in the decision-making

It is necessary that the information for individuals receiving treatment is provided in comprehensive way, which is also appropriate for the recipient so that he/she can give informed consent or refuse certain type of treatment or intervention.

Example

Health workers do not provide comprehensive information about alternative ways of treatment, whereby the patient, in cooperation with the medical doctor should decide which type of treatment will be chosen.

Imposing a mandatory treatment for addiction based on court decision is contrary to the right to treatment based on the patient's informed consent.

Right to access the medical record

The patient can have an inspection into the medical record or receive a transcript of the documents in the record or can authorize another person to make the inspection on his/her behalf, as well as receive explanation about the data in the medical record.

Nobody, except for the medical staff, can make an inspection into the patient's medical record without his/her consent.

Right to confidentiality

The patient is entitled to confidentiality of personal and medical data, which must be kept as secret even after his/her death.

Exception to this rule exists if:

- The patient gives written consent;
- Medical intervention for the patient is needed at other medical institution;
 - That is required to be processed by the medical institution that provides health care to the patient;
 - Used for historic, scientific, research or educational purposes, under the condition that the patient's identity cannot be disclosed;
 - The disclosure of data is in accordance with another law for animal protection, safety or health of other people.

Example

This right is violated in case when the police without explained order from a competent court enters the medical institution where methadone therapy is administered and makes inspection into the medical records of the patients receiving methadone therapy.

Disclosure of data in public about the patient's drug addiction without his/her consent or consent of his/her family members represents violation of the right to keeping the patient's medical documentation secret.

Right to privacy

The patient is entitled to conditions that ensure privacy in medical interventions, and especially when providing personal care. Medical intervention should be undertaken only in presence of people who are indispensable to undertake the intervention.

Example

Violation of this right exists when patients receive methadone at desk where third parties are present and there is no need that they oversee the administration of therapy or in presence of other patients.



PATIENT'S OBLIGATIONS

During his/her stay at the medical institution the patient is obligated to:

- take care of his/her personal health;
- provide true and sufficient data about his/her health status, in line with the personal capacities and information at disposal;

In case of drug addiction treatment and administration of therapy, it is necessary that the patient informs the medical doctor about the type and quantity of taken psychotropic substance so that the type and quantity of remedy can be adequately determined.

- actively assist the health workers who provide health care;
- act according to the health workers' advice about his/her care, treatment and rehabilitation;
- respect the rules of conduct, i.e. house rules of the medical institution;
- accept engagement, if that is part of his/her rehabilitation and resocialization aimed to reactivate his/her social skills and
- respect the professional and human dignity of health workers.



WHERE TO LOOK FOR ASSISTANCE IF ANY OF YOUR RIGHTS ARE LIMITED OR VIOLATED?

- If you consider that a particular right has been violated or limited in any of the public health medical institutions (hospital, clinic, institute), ask if there is an engaged advisor for protection of patients' rights in that hospital/clinic. The advisor can give you legal advice or assist you to lodge oral/written complaint. If the hospital/clinic does not have such advisor or the violation was committed in a non-hospital medical institution (health home, health station), submit the complaint directly to the director of the respective institution.

- The director of the institution, after having examined the allegations from the complaint, is obligated to notify you about the undertaken measures within 15 days.

- If you believe that the director has not taken the necessary measures, you can file a petition to the Ministry of health, which is obligated to examine the allegations from your petition and notify you about the undertaken measures within 15 days.

- Concurrently, you can file request for conduction of inspective oversight also to the State sanitary and health inspectorate, which after having conducted the oversight has the authorization to issue order for the medical institution and the health worker to undertake adequate measures and activities depending on the type of violation of the right.

- At the municipalities, there are established Commissions for improvement and protection of patients' rights. You can lodge a complaint to these commissions, and they are obligated to examine it and refer you to the competent authorities which can help you with exercising your rights.

- If you are not satisfied with any of the responses from the above-stated bodies, you can initiate a court proceeding in front of a competent court.

- If any of your rights arising from health insurance have been violated or limited, ask for assistance at the Health Insurance Fund of Republic of Macedonia and its regional units.

CONTACT

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WHO CAN HELP WITH EXERCISING YOUR RIGHTS?

Associations that work in the sphere of human rights protection for drug users and drug addicts are as follows:

HOPS – Healthy Options Skopje,
Street. „Hristo Smirnenski“ No. 48-1/6, Skopje
or hops@hops.org.mk

- Drop-in centre for harm reduction Kapishtec,
Street. „Kiro Gavrilovski“ No. 3, Skopje
02/3176 428

- Drop-in centre for harm reduction,
TC Mavrovka, shop 2,
Skopje 02/3130 058

- Drop-in centre for harm reduction Suto Orizari, Skopje,
Street „Vashingtonska“ No. 76, Skopje
075/528 260

DOVERBA – Association for improvement of prevention, treatment and social inclusion of people who abuse drugs and other psychotropic substances - Skopje,

Street „Prolet“, No. 9a Skopje
doverba@yahoo.com
02/3067 713

Coalition „Sexual and health rights of marginalized communities“,
Street. „Partizanski odredi“ No. 23-1/7,
coalition.mk@gmail.com
02/3214 269

IZBOR – Association for counseling, treatment, resocialization and reintegration of people facing problems due to drug abuse Strumica,

Street „Heroj Karposh“ No. 16, Strumica
izborsr@sonet.com.mk
034/349 410

Association ZONA Kavadarci,
Street „Blagoj Krstik“ b.b.,
Kavadarci
043/417 799

NGO Opcija Ohrid.

Address TC „Ohrigjanska“ No. 23, Ohrid
opcijaohrid@yahoo.com
contact@opcijaohrid.org.mk
046/257 838

- **Center for civil society development VIA VITA Bitola,**
Street „Anesti Panovski“ No. 10/1/8, Bitola
viavitabt@yahoo.com

- **Association for healthy life styles PULS Kumanovo,**
Street „Bajram Shabani“ No. 19, Kumanovo
info@pulskumanovo.org.mk
031/423 375

- **Center for development and promotion of public life Tetovo,**
Street „Kuzman Josifovski Pitu“ No. 51,
cruzjte@yahoo.com
044/343 566

- **Association HELP Gostivar,**
Street „Ilindenska“ b.b., 1230 Gostivar
or help_gostivar@yahoo.com

- **Youth club Shtip,**
Street „Vasil Glavinov“ No. 20, Shtip
mladinski_1@yahoo.com
032/382 356

- **NGO PODRSKA,**
Street „Ivo Lola Ribar“ No. 30, Gevgelija
podrska@yahoo.com

Municipal organizations of the Red Cross

- **MO of Red Cross – Veles**
Street „Marshal Tito“ No. 166a, 1400 Veles
m.hadzinaumov@yahoo.com

- **MO of Red Cross - Prilep**
Street „Jole Andonoski“ No. 5a, 7500 Prilep
m_nedelkoska@yahoo.com

- **MO of Red Cross - Kichevo**
Street „Janko Mihajloski“ b.b., 6250 Kichevo
enserjusuf@yahoo.com



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ЧОВЕКОВИТЕ ПРАВА

во здравствената заштита
ПРИРАЧНИК ЗА ПРАКТИЧАРИ

МАКЕДОНИЈА



*the electronic version of the manual can be
downloaded on our website:
www.healthrights.mk

BECOME FAMILIAR WITH:

- Basics of human rights in health care through the Manual on human rights in health care
- International and regional documents and mechanisms that guarantee and protect the implementation of the right to health
- National legislation and ways to protect the right to health in our country
- Rights and obligations of health workers in provision of health care
- Rights and obligations of patients in the realization of health care and health insurance
- Relevant publications that refer to different health matters and access to health care
- Institutions that work in the sphere of health care, health insurance and legal protection provision in our country