

September 27, 2013 /**24-7PressRelease**/ -- Being a doctor is an esteemed profession, and rightly so. Years of medical training and practical experience bring a wealth of information and healthcare options to patients. Patients can then use this knowledge and skill to decide the care appropriate for them. Certainly, doctors are human and make mistakes, but many patients trust their doctors and rely on advice directly from a physician in order to determine what could be life-altering medical care.

Unfortunately, with the cost of medical care continuing to increase and a demanding workload for doctors, it can sometimes be difficult for a doctor to have a thorough discussion of treatment options with patients. Instead, physician assistants or nurses are discussing healthcare options with patients. This can save money and physicians' time but may ultimately hurt patient care.

Patients do have rights, however. The Pennsylvania's Medical Care Availability and Reduction of Error Act specifically gives patients the right to ask questions of physicians, not just physician assistants or nurses. Some patients are reluctant to discuss their care with a busy physician, fearing that they are being a bother or simply trust the doctor to decide the right course of treatment without expressing their concerns or confusion. But the physician-patient relationship is an important part of proper healthcare. The right questions and a discussion of options can actually save time, money and increase patient outcomes. The lack of such a discussion can lead to unnecessary treatment and in some cases can actually do harm to a patient.

### **Informed consent**

It is well-established law in Pennsylvania that a patient has the right to [informed consent](#) . This means a patient should fully understand the potential benefits and risks of treatment options. State law specifically mentions several high-risk treatments that require informed consent, among them surgery and experimental medical care. All medical care should come with informed consent, however.

Physician assistants and nurses play a vital role in hospitals and medical facilities. But when faced with a difficult decision such as to undergo chemotherapy, for example, it is better for a patient to discuss the risks and benefits of the procedure with a physician, not just a nurse, however knowledgeable and well-intentioned that nurse may be.

### **Damages**

## **Pennsylvania law gives patients the right to ask doctors about care**

Written by Australian Business

---

If a patient did not have informed consent of a performed treatment, and that treatment results in injury, medical malpractice has occurred. If additional information would have been a "substantial factor" in whether the patient would have undergone the procedure, then that patient can receive compensation for the costs of that treatment, such as the costs of additional care needed resulting from the original procedure.

The doctor-patient relationship should be one of trust and open communication. If that has not occurred, patients should consult with an experienced medical malpractice attorney to discuss their legal options.

Article provided by Biancheria & Maliver, P.C. Visit us at [www.bem-law.com](http://www.bem-law.com)