

Noncompliant Patients

Patients may miss appointments, fail to take prescribed medications or fail to take them as directed. Understanding why a patient is noncompliant can often be the key to turning the situation around.

Not all noncompliance issues can be solved to the physician's satisfaction. Patients have the right to refuse recommended treatment and may choose to disregard your valuable and sometimes life-saving advice. Physicians should safeguard themselves when dealing with the non-compliant patient, keeping in mind that the physician is responsible for informing noncompliant patients of any risks associated with a refusal of care as well as available alternatives.

Physicians can protect their practices by clearly stating the diagnosis and treatment recommendations as well as the potential consequences of refusal in language that is easy for the patient to understand. Ideally, this information should be expressed to the patient verbally, the conversation documented in the medical record, and memorialized in a letter to the patient. In the event of litigation, this detailed documentation may provide the best source of protection for the physician.

This publication has been prepared by Hinshaw & Culbertson LLP to provide information on recent legal developments of interest to our readers. It is not intended to provide legal advice for a specific situation or to create an attorney-client relationship.



HINSHAW
& CULBERTSON LLP