

Rights of diabetic patients in the framework of patient rights in Turkish Law

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It is now widely accepted that patient rights have universal values. On the other hand, it is not so easy to put such values and principles into effect. As approaches and attitudes differ from individual to individual, from society to society, and from country to country, a uniform application of these values is difficult. If we want to reach a general conclusion about the status of patient rights in the world as a whole, we should examine the situation in individual countries. As far as Turkey is concerned, we can say that, although the idea of patient rights is accepted in principle, patient rights have yet to be adequately implemented.

The most important regulation in Turkey on patient rights is the statute of patient rights which came into effect in 1998. The statute states that patient rights must be considered as an extension of basic human rights to the field of health services. Patients must have the right to make use of all health services according to their need, including preventive measures and activities designed to encourage healthy living, in accordance with the principles of justice and fairness. This right also means that it is the responsibility of institutions offering health service, and of their personnel, to serve patients without violating the principles of justice and fairness. In the provision of health services, all patients are to be considered equal irrespective of their race, language, religion or creed, sex, political views, philosophical beliefs, and economic and social status. Health services are to be designed and organised in such a way that they are easily accessible to all. Although there is not an exclusive regulation on the specific rights of the diabetic patients, a number of important projects and campaigns have been initiated by the Turkish Republic Presidency and the Ministry of Health to focus on the diabet. This paper is exploring the the general framework of the patient right and spesific legal situation for he diabetic patients and offering some regulatory suggestions.

Biography

Murat Tumay is a Professor of Constitutional and Human Rights Law. He graduated from Ankara University Law Faculty. Before starting to work as a lecturer at Selcuk University Law Faculty in Turkey he has completed his LL.M and Ph.D. studies at Essex University and Leicester University respectively, both in UK. In 2005 he has worked as a legal trainee at European Court of Human Rights. He has worked as Honorary Research Fellow at Leicester University, Durham University and Glasgow University from 2007 to 2010. He has established and directed Human Rights Centre at Selcuk University. He has worked on various Research projects that have been financed by Oxford University press, UK Arts and Humanities Council, Council of Europe, European Union and Turkish Justice Academy. He currently works as a lecturer in Constitutional Law at Istanbul Medeniyet University in Istanbul, Turkey. He is working extensively on Constitutional Law, International Human Rights Law, Democracy and Rule of Law.

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