

## Inspection of Järva County Hospital

An adviser to the Chancellor of Justice paid an unannounced inspection visit to the Nursing Department of the Järva County Hospital on 24 July 2014.

The Nursing Department of the Järva County Hospital provides independent inpatient nursing care. The Järva County Hospital has been issued with an activity permit for providing nursing care to up to 24 patients. The hospital was providing nursing care to 23 persons at the time of the inspection. The head nurse of the department, a nurse, an assistant nurse, a person handing out meals and two carers were the members of staff who deal directly with the nursing care patients who were on duty during the inspection.

The Chancellor of Justice had not inspected the Järva County Hospital before.

As a result of the inspection visit the Chancellor of Justice made the following recommendations to the Järva County Hospital to guarantee the fundamental rights and freedoms of persons:

- to guarantee that the appropriate consent for the provision of nursing care is always requested from patients arriving for nursing care or their legal representatives and that such consent is recorded in writing;
- in the case of patients who are unable to consider the pros and cons in a responsible manner and whose active legal capacity is limited, explain to them (if the patient's condition permits it), their close family members or the local authority that if there is no need to provide the service immediately, it is necessary to ask a court to appoint a legal representative for the patient who could give the appropriate consent for the provision of the service on behalf of the patient, before the provision of the nursing care starts;
- to ascertain in each case whether the court has granted the patient's legal representative the right to decide on the provision of a health service on behalf of the patient;
- to guarantee that the consent of patients to video surveillance complies with all of the requirements and personal data processing principles set forth in the Personal Data Protection Act;
- to ascertain in each case whether the court has granted the patient's legal representative the right to decide on the grant of consent to video surveillance on behalf of the patient;
- to introduce a system in the department that guarantees that the need and scope of the implementation of video surveillance is considered in each specific case where the person has not given their written consent to the use of video surveillance in their room. This decision should be made in a format that can be reproduced in writing every time and in respect of every person to guarantee that the decision is transparent and can be inspected. The decision to implement video surveillance should be affective only during a specific period of time and reviewed after the expiry of the period;
- to guarantee that screens or other means that guarantee the privacy of patients are used during hygiene or other intimate procedures;
- to guarantee that the decisions to administer medicines to patients and other decisions concerning nursing care are made in the department by health care professionals within the limits of their specialties after assessing the patient's condition personally and immediately, if necessary;
- to guarantee that in situations where a physician has authorised a health care professional without the competency of a doctor to administer such medicine to the patients, it is possible to check the activities of the health care professional efficiently and retroactively;
- to guarantee that patients and other unauthorised persons have no unauthorised access to the medicines kept in the medical procedures room;

- to guarantee that prescription drugs are administered in the department only to the patients for whom they have been prescribed.

The Chancellor of Justice requests that the Järva County Hospital send information about its compliance with the recommendations by 1 November 2014.