

## **Inspection of Kallavere Hospital**

On 5 December 2013 advisers to the Chancellor of Justice paid an announced visit to the Nursing Care Department of Kallavere Hospital.

Based on the results of the inspection visit the Chancellor of Justice made the following suggestions to Kallavere Hospital:

- to guarantee that the appropriate consent for the provision of nursing care services 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, to 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 service 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 explanation of why the nursing care provider found the patient to be incapable of making decisions or that a patient with limited active legal capacity is unable to responsibly consider the pros and cons of the provision of the nursing care service is recorded in the patient's medical records;
- to guarantee the existence of the required system for calling a nurse in both buildings of the hospital;
- to guarantee sufficient supervision with appropriate measures for patients who cannot or do not know how to use the system to call a nurse;
- to inform patients more thoroughly and, if necessary, repeatedly of the existence of the system for calling a nurse and how to use it;
- to give more attention to the fact that the patients receiving nursing care in the hospital are always treated in a dignified manner. For this purpose the Chancellor of Justice advised doing the following:
  - to guarantee that the abilities and needs of patients are observed when they are fed and that feeding is not rushed;
  - to consider changing the times when patients are fed or adding another meal to ensure that patients are not hungry when they go to sleep;
  - to change communication with patients and to explain to them the circumstances of their stay in the hospital (repeatedly, if necessary);
  - to improve the involvement of patients in activities that consider their various needs (limited mobility, mental state etc.), incl. motivate patients to take part in them;
  - to allow patients whose health permits it to be in the fresh air either by themselves or with a staff member. Bedridden patients could also be taken out for fresh air if their health permits it and this does not require unreasonable effort on the part of the hospital.
- to guarantee that all staff members whose tasks include communication with patients and meeting their needs are able to communicate adequately with patients who speak Estonian. In the interests of the wellbeing of patients, the hospital could consider

supporting staff members in learning Estonian or motivating them to learn Estonian in another manner. In the case of patients who only speak a foreign language, the Chancellor of Justice advises Kallavere Hospital to use ways of communicating and exchanging information with the patient which guarantee protection of the patient's right to health and dignity, incl. in obtaining appropriate consent for the provision of the nursing care service as well as in satisfying the daily needs associated with the patient.