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## **The patient's subjective right to a doctor's diagnosis**

### **Abstract**

The subject of the article is a presentation of the concept of the patient's subjective right to a doctor's diagnosis.

The starting point is a discussion of the clinical diagnostic process currently used in medicine, as well as the clinical decision-making. In the literature, a fairly widely accepted division of clinical diagnostics is used, which breaks diagnostics down into the following elements: subjective examination (interview conducted with the patient or their family), physical examination (determining symptoms using basic methods) and additional examination (using technological advances to determine symptoms, e.g. CT scan).

It is indicated that legal provisions do not take into account the abovementioned division, which may cause interpretation difficulties when assessing the possibility of factual guardian consenting to the medical examination. Also, the clinical decision-making stage has been distinguished, which is the basis for the therapeutic decision and, consequently, determines the success of treatment.

Next, the patient's right to information on their health is discussed, which is considered a part of a broader right to information about oneself. Justifications for medical truthfulness are presented as well as an exception to this rule - the so-called therapeutic privilege.

Next, the postulated right to diagnosis is discussed, which consists of the following specific rights: the right to form a diagnosis, the right to be informed of a diagnosis, the right to information about the impossibility of a diagnosis, and finally, the right to remain in ignorance. Legal provisions and principles of medical deontology, from which the above law can be derived, are also discussed. The conclusion of the article is that the right to a diagnosis can be justified on the basis of the currently applicable laws and in this respect no legislative initiative is necessary.

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