Physician–patient privilege preservation

In this work, various aspects of non-disclosure of medical secrecy are considered.

Physician–patient privilege is a medical and legal concept. It prohibits a physician from divulging to anybody some information about his patients (diagnosis, results of examination and so on). Each physician must comply with this prohibition if he or she treats a patient.

In fact, the concept of physician–patient privilege appeared in Ancient India. It was voiced that you could fear your brother, mother or friend but never a doctor. Since those days, doctors have been vowing to keep all their secrets and always do it. Physician–patient privilege is one of the basic postulates of the Hippocratic Oath. In fact, each state guarantees to its citizens keeping of the privilege. Although there are situations when it is allowed to provide patient’s data without his or her consent, for instance:

- in order to examine and treat a person who cannot express his or her will due to a bad state;
- if there is a danger of spreading any infection or provoking an epidemic;
- if the information is requested by a judicial or law enforcement agency;
- if a patient is not an adult and physicians must inform parents or legal representatives about his or her state of health;
- in case of injuries received due to any incorrect procedures;
- the necessity to do military medical examination.

According to legal systems of some countries all people having any information about a sick person are held disciplinary, administrative or criminal responsibility in case of divulging.

When somebody is admitted to a hospital, his relatives and friends want to know about his state of health. Physicians have to resolve conflict situations. On the one hand, it is clear they worry about his or her life. However, on the other hand, all these data are included into the concept “physician–patient privilege”. In fact, a good physician never says his patient’s diagnosis to anybody. In our opinion, physicians can break physician–patient privilege only in case when it is said whether the person will live or not. In other cases, only a patient can decide whom to say this or that information about his or her health.

Physicians should look after the sick people; care about their physical, mental and moral health. In return, patients should talk about their problems and trust their physicians. Any offense against the “physician–patient privilege” makes a person feel humiliated. In this case, the patient has a right to apply to a judiciary because of the non-pecuniary damage that was harmed by physicians. To sum up, the most important commandment for every physician is to remember about these ethical postulates!

**Key words**: physician–patient, privilege preservation