Patients hoping to find out about their rights are unlikely to get the information they need from hospital documents designed precisely for that purpose. In reality, patients are presented with information written in legal jargon that the majority of them can neither read nor understand. These findings\(^1\) by Dr. Michael Paasche-Orlow from Boston University’s School of Medicine in the US, and his team, were just published online in Springer’s *Journal of General Internal Medicine*.

Some forty years ago, notions of informed consent and autonomy were first officially endorsed and the concept of patients’ rights emerged. In 1990, a condition of hospital accreditation was to inform every patient about their rights. Then in 2001, the US House of Representatives and US Senate passed bills to create a Federal Patients’ Bill of Rights (PBOR). Many states now have Patients’ Bill of Rights laws in place.

Ironically, these efforts to progress patients’ rights are being held back by the use of overly complex language which far exceeds patients’ average reading capacity, which is at the 8\(^{th}\) grade level. Paasche-Orlow and his team analyzed PBOR statutes for general patient populations in 23 states and 240 hospital PBOR documents from 50 states. They assessed their readability by looking at a combination of reading level, complexity of sentences and vocabulary, and quality of writing style.

The hospital PBOR documents had an average readability at the level of the second year of college. In the nine states that stipulate that PBOR texts are to be distributed to patients, the average reading grade level of the materials was that of a college junior. Not only was the language patients are presented with extremely complex, it was also usually exclusively in English.

These findings show that an advanced college reading level is routinely required to read PBOR documents. Bearing in mind that the average reading level of an American adult is 8\(^{th}\) grade, it is clear that the written information patients are given in US hospitals far exceeds their reading capacity.

The authors highlight several reasons why clinicians and patient advocates should be concerned about the readability and accessibility of the language in PBOR documents. In essence, giving patients unreadable legal jargon is a missed opportunity to present the patient care mission in a clear manner.

Paasche-Orlow concludes that: “Patients’ rights statutes are designed to promote the ethical and humane treatment of patients. These goals will not be realized by presenting patients with documents they are not able to read and understand.”

Reference
