



Did you get worse because of a treatment or medicine?

Find out if you are entitled to compensation

Apply for compensation online at
www.patienterstatningen.dk

Follow the progress of your case until
we decide whether you are entitled to
compensation.

At www.patienterstatningen.dk
you can also find information about
your right to compensation in english.

Are you covered?

Everyone who receives treatment or purchases medicine in Denmark is covered by the Danish Patient Compensation and can apply for compensation. You must have sustained an injury by the medicine or the treatment to be entitled to compensation.

Having sustained an injury as a result of a treatment or use of medication can occur e.g. at:

- the hospital
- your general practitioner
- a nursing home
- a disability care home.

All healthcare treatment and medication are covered regardless of the medical provider being public or private.



Treatment injuries

You may be entitled to compensation if you have suffered physical or psychological harm in connection with:

- delayed treatment
- missing or no treatment
- incorrect treatment
- misdiagnosis
- complications after a surgery

Treatment injuries normally occur at a hospital, at the general practitioner's office or at a specialist consultation. However, they may also occur in other places such as a health care center or a nursing home. The injury could for instance be caused by inadequate wound care, an injury sustained during a rehabilitation programme or as a result of faulty administration of medication.

Do not hesitate to apply for compensation even if you feel that the healthcare professionals did their best. The Danish Patient Compensation will only investigate whether or not you have suffered an injury and are entitled to compensation. We do not assess the healthcare professionals.

You may also be entitled to compensation even though you agreed to receive treatment that you knew involved a risk.



At www.min.medicin.dk you can find information about almost all medicines and their side effects.

Medicinal injuries

You may be entitled to compensation if you get a rare and serious side effect from the medication. This would be the case even if the treatment given was correct.

A medicinal injury may occur while you are hospitalized or after you have been discharged.

You do not have to be a patient to be entitled to compensation. As an example; an otherwise healthy woman can claim compensation for severe side effects caused by birth control pills.

You can apply for compensation for serious and rare physical or psychological injuries that are caused by severe side effects from a medicine, even if the side effects are stated in the patient information leaflet.

You can however not claim compensation for temporary or mild side effects.

How to apply for compensation

You can apply for compensation in the following ways:

- Apply online at www.patienterstatningen.dk by using MitID. Please note that the online application form is in Danish.
- Print out an english application form, fill it in and send it to us by post.
- Call the Danish Patient Compensation and ask to have an application form sent to you.

If you apply online you can follow the progress of your case.

It is not necessary to hire a lawyer. However, if you do choose to seek legal advice, you will have to pay the expenses yourself.



How is a an injury assessed?

The most common rules for assessing an injury are as follows:

- *The specialist rule:*
If we assess that an experienced specialist within the area of expertise would have acted differently and thus avoiding your injury, you will be entitled to compensation.
- *The reasonableness rule:*
If the healthcare professional has acted according to procedure and committed no mistakes - you may still be entitled to compensation under this rule.
- We assess, among other things, the severity of your illness for which you were receiving treatment. The graver the illness, the more complications will you be expected to endure during your course of treatment and this will not entitle you to seek compensation.
- *The device rule:*
If the injury has been caused by a fault in technical equipment (for example a defect x-ray machine, syringe or prosthetic), you are entitled to compensation under this rule.

Your compensation

If you are granted compensation for your injury, the law gives you the right to compensation for the following:

- *Lost earnings:*
Income that you have not received because of your injury.
- *Loss of ability to work:*
Income that you could have earned in the future if you had not sustained the injury.
- *Permanent injury:*
Compensation for permanent physical and psychological nuisance.
- *Pain and suffering:*
Compensation for every sick day you had because of the injury.
- *Medical expenses and other losses:*
Expenses for medication, physiotherapy, devices and transportation you had because of the injury.

In the event of death the dependants can be compensated for the loss of a provider, funeral expenses and a transitional sum.

If you are granted compensation, the Danish Patient Compensation will deduct DKK 8,305 (2023 level) from the total amount, as a deductible to the total sum.

Good to know

Expiration deadlines

According to the law, an injury case may be subject to expiration for compensation. In such cases the Danish Patient Compensation will decline the application. There are two expiration deadlines:

- 3 years:
The period of time from when you discover – or should have discovered – that you have sustained an injury until you apply for compensation must not exceed 3 years. The case is thus regarded as expired.
- 10 years:
If more than 10 years have passed since you received treatment or medicine for an illness, the case have expired.

Treatment or medicine received outside of Denmark

The right to compensation can only be granted if you were treated in Denmark, or if the medicine you received were handed out and purchased in Denmark or via a Danish website.

Treatment injuries sustained outside of Denmark will only be covered if you were referred by the Danish public health service.

Dental injuries

If you sustain an injury in a dental clinic, you must report the dental injury to the Danish Dental Association's Dental Injury Compensation Scheme at www.tf-patientskade.dk.

Danish Patient Compensation

The Danish Patient Compensation is the authority in Denmark that determines whether patients are entitled to compensation if they sustain an injury in the Danish healthcare system or get side effects from medication.

Everyone who has received treatment in Denmark is covered by the compensation law.

There is no fee when applying for compensation to the Danish Patient Compensation.

Learn more about the Danish Patient Compensation and your rights at www.patienterstatningen.dk

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Danish Patient Compensation

Kalvebod Brygge 45, 4.

1560 København V

Tel +45 3312 4343

Fax +45 3312 4341

Telephone hours 9.30-15.00

Email: pebl@patienterstatningen.dk

www.patienterstatningen.dk

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Komiteen for Sundhedsoplysning

Web: www.kfsbutik.dk

E-mail: kfs@sundkom.dk

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