



# Did you get worse because of treatment or medication?

Find out if you are entitled to compensation

Apply for compensation online at  
[www.patienterstatningen.dk](http://www.patienterstatningen.dk)

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

At [www.patienterstatningen.dk](http://www.patienterstatningen.dk),  
you can also find information about  
your right to compensation.

# Are you covered?

**Everyone** who receives treatment or buys medicine in Denmark is covered by the Danish Patient Compensation and can apply for compensation. To be entitled to compensation, the medicine or the treatment must have caused an injury.

Having sustained an injury as a result of a treatment or use of medication can, for example, occur at:

- the hospital
- your own doctor
- a nursing home
- a residential care institution.

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 as a result of:

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

Treatment injuries normally occur at a hospital, at the doctor's, at the dentist or at a specialist consultation. However, they may also occur in other places such as a healthcare centre 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 incorrect 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](http://www.min.medicin.dk), you can find information about almost all medicines and their side effects.

# Medical 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 medical injury may occur while you are hospitalised or after you have been discharged.

You do not have to be a patient to be entitled to compensation. An otherwise healthy woman can, for example, also 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](http://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 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 your injury could thus have been avoided, you will be entitled to compensation.
- *The reasonableness rule:*  
If the healthcare professional has acted according to procedure and made 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 more serious the illness, the more complications you will be expected to have 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, you will be legally entitled 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 had the injury.
- *Permanent injury:*  
Compensation for permanent physical and psychological nuisance.
- *Pain and suffering:*  
Compensation for every sick day you have had because of the injury.
- *Medical expenses and other losses:*  
Expenses for medication, physiotherapy, devices and transportation you have 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.

# Good to know

## **Time limits**

According to the law, there may be a time limit for compensation for an injury. In such cases the Danish Patient Compensation will decline the application. There are two time limits:

- **3 years:**  
The period of time from when you discover – or should have discovered – that you have suffered an injury until you apply for compensation must not exceed 3 years. If this deadline has been exceeded, the case will be regarded as expired.
- **10 years:**  
If more than 10 years have passed since you received treatment or medicine for an illness, the case has 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 was handed out and bought in Denmark or via a Danish website.

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

# Danish Patient Compensation

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

Everyone who has received treatment in Denmark is covered by the Danish Patient Compensation Act.

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](http://www.patienterstatningen.dk)

This leaflet is published by the Danish Patient Compensation.  
5th edition, 2024.

## **Danish Patient Compensation**

Kalvebod Brygge 45, 4.

1560 Copenhagen V

Tel. +45 3312 4343

Fax +45 3312 4341

Telephone hours 9:30-15:00

Email: [pebl@patienterstatningen.dk](mailto:pebl@patienterstatningen.dk)

[www.patienterstatningen.dk](http://www.patienterstatningen.dk)

## **This leaflet can be ordered from:**

Komiteen for Sundhedsoplysning

Web: [www.kfsbutik.dk](http://www.kfsbutik.dk)

E-mail: [kfs@sundkom.dk](mailto:kfs@sundkom.dk)

The leaflet and postage costs are both free.

Photos:

iStock: Monkey Business Images, front page / dragana991,  
side 4 / Drazen, side 6 / ljubaphoto, side 8.