

Medical Malpractice

M. Ethics 8

Accidental death

In health care, it is not uncommon that patients are exposed to harmful risks

• risk → predictable ⇒ informed consent is obtained.

• unpredictable ⇒ **Medical errors** ⇒ informed consent can't be obtained.

failure of a planned action to be completed as intended.
• preventable adverse medical offense.

includes all faults in medical practice leading to remaining harm or permanent infirmity.

- medical error
- motor vehicle
- falls
- drowning
- commercial aviation

• lack of rational degree of care & skill

good experience

causes → Negligence → ↓ care
→ Incompetence → ↓ skill & medical knowledge

It's a commitment by me to do my best of care & skills for the benefit of the patient

Negligence

↳ Inadequate standard of medical care given to a patient

• omission
↳ failure to do something

• commission
↳ doing something wrong

contributory negligence

↳ patient ignores the advice of his doctor
↳ might lose his right to claim damage if harm results

Incompetence

↳ failure of the doctor to offer necessary degree of skill resulting in injury to the patient.

causes

- ↳ distraction
- ↳ fatigue
- ↳ lack of education & experience.
- ↳ inadequate attention given to individual patient
- ↳ inaccurate medical records

types of malpractice

technical fault

Dr. doesn't follow the scientific basic rules in his profession for diagnosis & treatment.

major
minor

objective mistake

when a surgeon forgets any object inside a surgical wound. → towel instrument

major

Most legal action → civil law \$

Few → criminal prosecution

→ illegal abortion
→ death of a patient
resulting from gross
ignorance or negligence.

فَتَّ حَبَّتِ الْطَّأْ كَرِيحَ

① mistake.

② damage or harm

③ causative relation
between the mistake
& harm.

The basis of evaluating the malpractice:

① The professional level of the physician.

GP → can't be considered negligent. because a specialist must
have served a patient better.

② Severity of the case

③ The time & place of the act.

④ A medical injury may have been caused by any
or more of the medical personnel who have treated the patient..
الطاقم الطبي

⑤ The Things speaks for itself.

بمجرد خطأ لومده
[صرح / طبيب / خبر / عرض]
بمجرد خطأ، خطأ

Types of malpractice

in diagnosis

in treatment.

لَمَّ بِنِ

.inexperience

• the disease being in
its early stage