Ethics and Communication in Health Care

by

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Common Causes of Medico-Legal Problems

• administrative and clerical errors and system failures
• poor communication
• inadequate records
• working beyond the level of competence
• delegating to those without necessary training and experience
• insufficient clinical assessment of cases
Components of Health Care

- diagnosis
- treatment
- giving of Advice and Information
Duty of Confidentiality

- an ethical duty
- a legal duty
Duty of Care regarding:-

- receiving information
- recording it
- keeping and preserving it
- transmitting it to others
Giving advice and information regarding:-

- proposed investigations, tests, treatment, etc.
- material risks of injury arising from them
- cost and expense involved
Taking Consent

The duty to give sufficient information and advice regarding material risks when taking consent.
If You Withhold Information

Be prepared to justify it
Withholding Warning of Material Risks

May be justified in some cases in the best interest of the patient – the doctor’s therapeutic privilege.
When Things Go Wrong

- giving information and explanation
- being compassionate and understanding
- being truthful
- being prepared for legal proceedings
Bromburger says a recent inquiry by the US Health Education and Welfare Department into malpractice suits gives the focus on money above the traditional doctor-patient relationship as a major reason.

In one case, a patient said he and the doctor were "both upset" when the doctor amputated the wrong leg — but the patient decided to sue only after the doctor sent him a bill.
Collin v Hertfordshire County Council and Anor [1947] 1 All ER 639

- operating surgeon ordered on the telephone procaine
- resident house surgeon heard “cocaine”
- patient died as a result
- hospital authority, operating surgeon and house surgeon were all found negligent
DEAD because of doc’s bad handwriting

Texas jury orders doctor to pay $373,950 to the family of a man who died after a pharmacist misread the doctor’s prescription.
<table>
<thead>
<tr>
<th>DATE</th>
<th>PHARMACY</th>
<th>APPROVED NAME</th>
<th>DOSE</th>
<th>TIMES</th>
<th>METHOD OF ADMIN</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-27-76</td>
<td></td>
<td>1botalin</td>
<td>0.5</td>
<td>PRN</td>
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<tr>
<td></td>
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<td>Ventolin</td>
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</tbody>
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Signed: [Signature]
Clinical Notes

Date: 03/07/2022

Diagnosis: Diabetes

History:
- Hyperglycemia
- Intermittent polyuria

Other symptoms:
- Polydipsia
- Polyphagia

Family history:
- No

Medication:
- Sulfonylurea

Doctor's Notes:
- Dr. B. Pluss

Code: 23757

This column has been provided for doctors to enter A, V or C at their discretion.
ACCIDENT & EMERGENCY RECORD

TYPE OF ACCIDENT:
1. A.T.A
2. Home
3. Work
4. School
5. Self-inflicted
6. Non-applicable

Date
Time of Accident
Time of Arrival
Time of Initial Exam
Next or latest applicable:

15.10.0
1:20.0

HISTORY:
1/0 accidental cut - T1 index切 of right thumb with a garden knife. Bleeding.

EXAMINATION:
B.P.
PULSE
RESP.
TEMP.

1 - Superficial cut of 2 cm
Right thumb - Base of tendons intact. P.P.
Sensation 100%
Movement 100%
Needs suturing.

TREATMENT:
1. Cleaning & suturing 20/4...
2. Dry dressing 26/4...
3. Sutures after 7/1.

Admitted
T. Treated
Antibiotic
Health Communications & Quality Care Seminar – IJN & IUN College's
Little finger lugged
Brangon in evacuation to Deleze Lane.
World in a testing in being force this.

Known Elizabeth - On drums.

Has not taken anything today.

St. John - Colonel.

Headache and alimental.

Pain 100. / Clinically.

Blood pressure.

Hypoglycemic.

As Hypoglycemic.

Other glucose hunt.

No sugar.

Profession. "Purchased".
Avoiding medico-legal problems

- practise good and courteous communication with patients and colleagues
- keep at a reasonable level patients’ expectations
- write (and keep) proper medical records
- practise at the appropriate level
- delegate tasks only to the competent
Avoiding medico-legal problems, cont.

- undertake sufficient clinical assessment of cases
- be compassionate
- avoid making rash remarks about patient care and management
- be prepared to give opinions to patients in medico-legal cases
- have a simple and effective complaints procedure
THANK YOU