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Awareness Regarding Medico Legal Aspect Amongst the Emergency Medical Professionals: A Survey

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ABSTRACT:

INTRODUCTION:

Medical profession is considered to be one of the noblest and pious profession with doctors being entrusted with the highest responsibility towards the patients. With the advancement of science and technology, there have been many breakthroughs in the field of medicine which have significantly improved the quality of life in recent years. There is rising awareness amongst patients too regarding their illness and treatment to be sought and this has resulted in increased number of complaints and litigations against the doctors and healthcare set-ups in developing countries.

OBJECTIVE:

To study the awareness regarding Medico Legal Aspect amongst the Emergency Medical Professional

METHODOLOGY:

The present cross sectional descriptive study was conducted in May 2022, amongst 300 Emergency Medical Professionals (EMPs) from various parts of India. The respondents were required to answer in binary (agree/disagree) format.

RESULT & DISCUSSION:

The study is an attempt to identify the awareness and attitude of the Emergency Medical Professionals with respect to the medico legal issues faced by them. Far greater clarity was found amongst the respondents in items related to record keeping and informed consent. Emergency Medical professionals work in very high stress situations where every minute of delay spells the difference between life and death. In such high pressure situations,

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it becomes very difficult to decide whether one should wait for consent or move on with the lifesaving procedure. So it is very important that clear set of policies and guidelines are highlighted which will help in tackling such situations in a better way.

CONCLUSION:

The study reassures high level of awareness regarding medico legal aspects, yet topics related to confidentiality need greater sensitization. of patient care, there was lack of clarity with respect to several concepts too.

1. INTRODUCTION

Medical profession is considered to be one of the noblest and pious profession with doctors being entrusted with the highest responsibility towards the patients.¹It is a service oriented profession with the sole motive of mitigating illness and improving the quality of life of patients.²

With the advancement of science and technology, there have been many breakthroughs in the field of medicine which have significantly improved the quality of life in recent years.³In India, in the recent few years, health sector has seen a major transformation attracting investors from diverse and varied backgrounds. ⁴The other side of the coin being that; there is rising awareness amongst patients too regarding their illness and treatment to be sought. Unfortunately, this has resulted in increased number of complaints and litigations against the doctors and healthcare set-ups in developing countries⁵. In a densely populated country like ours, Doctors are still forced to work with limited resources which includes dearth of infrastructure, medicines and manpower⁶.

With the modern medicine practice becoming more technology dependent, there is rise in cost of treatment. These factors have contributed to increasing degrees of dissatisfaction on part of the

patients. As consumers of healthcare, they are expecting more and more from the doctors, causing sharp rise in incidence of litigation.^{7,8}. Oyeboode F.⁹ in a study in 2013 concluded that patients or relatives feel that a poor outcome or negligence happens when they are they are unheard or unattended. This then transformed into litigation against the treating doctor. Borrell-Carrió F¹⁰*etal* in a study in 2004 pointed out that errors often result not from a lack of knowledge but from the application of unexamined habits and the interference of unexamined emotions.

There is growing anxiety both within the medical profession and in society regarding growing trends of complaints and law suits against doctors and this leads to practice of defensive medicine wherein the practice is based more upon the fear of medico legal cases rather than sound judgment.^{11,12}

Maximum number of patients with life threatening diseases are handled in prehospital and Emergency Medical Services settings. The doctors in these departments are entrusted with the task of performing highly complex skills in extremely limited time with the cost of failure being very significant.¹³ Therefore the Emergency department and the healthcare providers working there are at the highest risk of encountering litigations

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^{14,15,16}. It is important that healthcare providers are mindful about the legal aspects of their profession and take proper measures to protect themselves and their patients from such legal hassles.¹⁷

Medico-legal ethics are certainly taught during the formative years in medical school but is highly inadequate. Stakeholders are of the opinion that there is a requirement of practical case studies and scenarios to equip the students in handling such situations in the course of their practice.^{18,19} A study by Raveesh^{etal}²⁰ in 2016 concluded that medical negligence can be minimized or avoided by taking proper steps to keep patients satisfied, adhering to policies and procedures, developing patient-centered care, and knowing ways of defending against malpractice judgments.

2. OBJECTIVE

To study the awareness regarding Medico Legal Aspect amongst the Emergency Medical Professional

3. MATERIALS AND METHODOLGY

The present cross sectional descriptive study was conducted in May 2022, amongst 300 Emergency Medical

Professionals (EMPs) from various parts of India.

A structured questionnaire, pretested and developed by Abdelmoneim E. M. Kheir²¹ *etal* in 2016 was utilized for the present study. The original tool consisting of 20 items was modified and 18 items relevant to our country were retained.

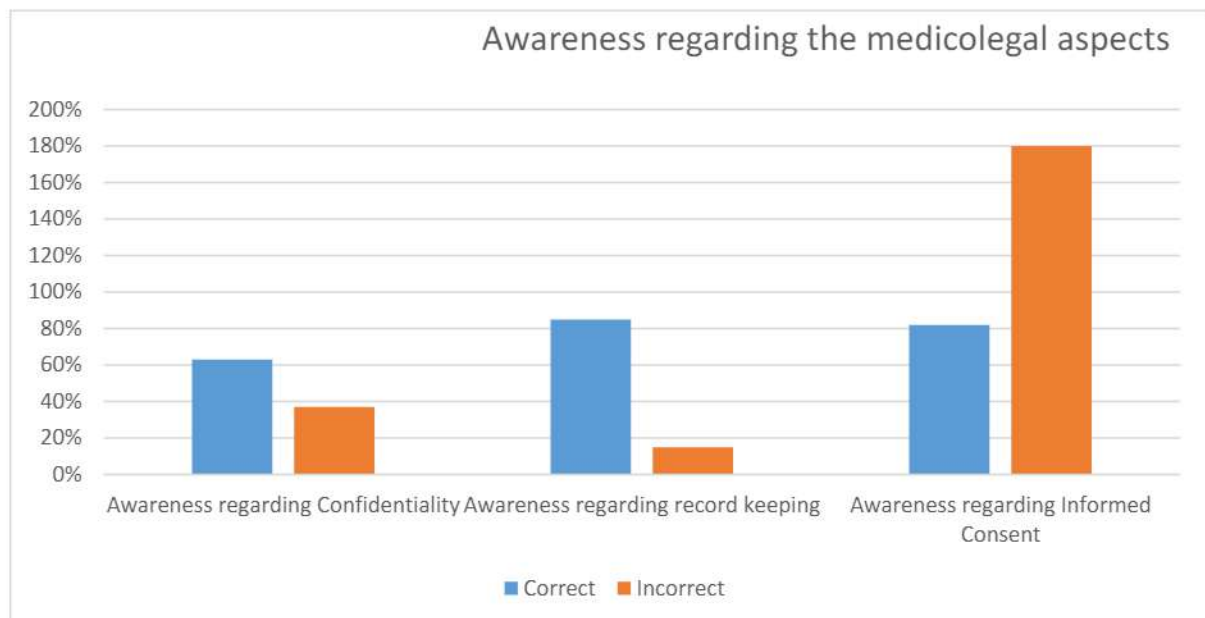
The final questionnaire consisted of three parts wherein the first part comprised of demographic data, second part consisting of 10 items based on issues related to confidentiality, record keeping and informed consent and the final part of 8 items related to medical negligence. The respondents were required to answer in binary (agree/disagree) format. Four items comprised of semi structured questions and required detailed responses from the respondents.

The questionnaire was administered to the respondents through online mode. All the 18 items were required to be mandatorily filled. Any queries pertaining to the questionnaire were clarified during data collection process. Informed consent was taken from the respondents prior to the administration of the questionnaire. The data was tabulated and statistically analyzed with the help of SPSS version 23.

RESULTS

Table 1: Demographic Data

Age	21-25 years-53% 26-30 years-37% >30 years: 10%
Sex	Female- 68% Male- 32%
Qualification	BHMS- 53% BAMS- 36% Others:



Figure

As seen in figure1. The respondents displayed a high grade of awareness with all three medico legal aspects including confidentiality, record keeping and informed consent.

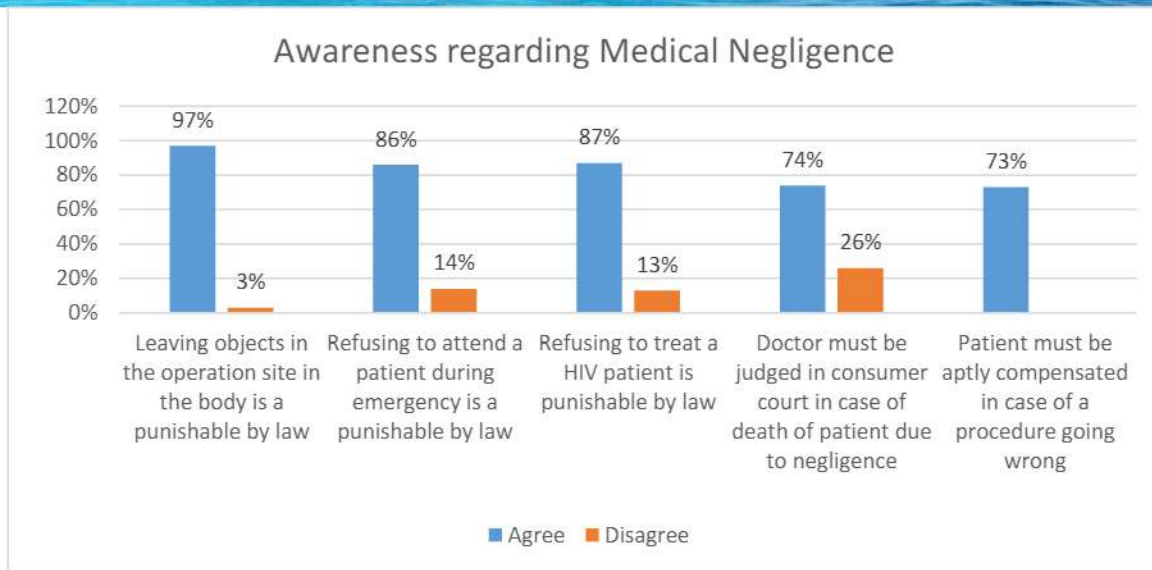


Figure 2.

As seen in figure2. The respondents displayed positive attitude regarding the medical negligence.

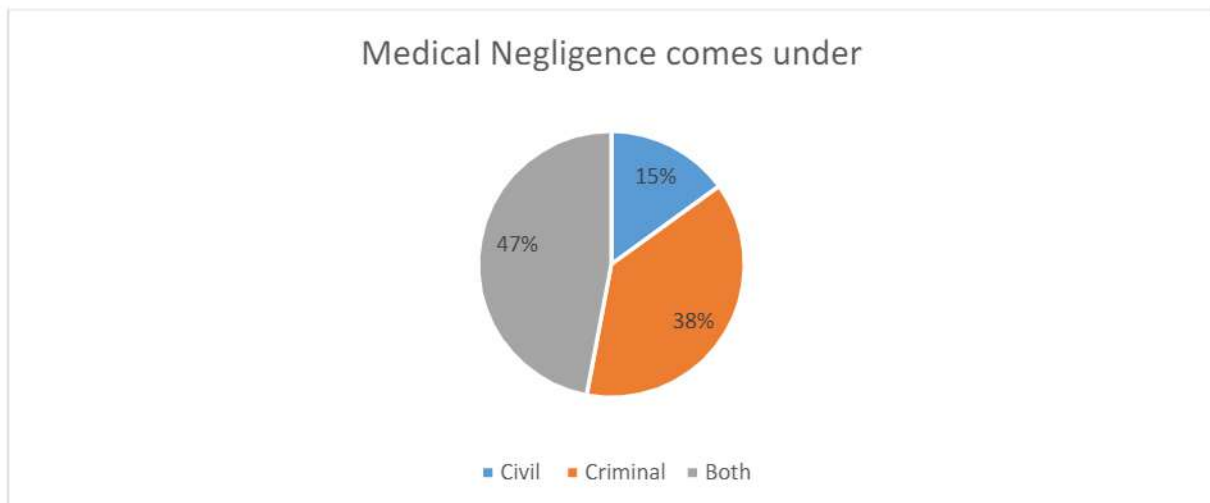


Figure 3.

As shown in Figure 3. Only 47% of the respondents were able to promptly identify that Medical Negligence came under both Civil and Criminal act.

4. DISCUSSION:

The study is an attempt to identify the awareness and attitude of the Emergency Medical Professionals with respect to the medico legal issues faced by them.

Although 63% of the responses pertaining to confidentiality were found to be correct

yet the remaining 37% cannot be ignored and warrants awareness and sensitization programmes on issues relating to confidentiality. Respondents were fully aware that any information related to the patient must not be disclosed to anyone else unless it is approved by the patient himself.

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Interestingly the awareness levels regarding non-disclosure of HIV diagnosis was much higher than malaria diagnosis. Irrespective of the diagnosis, the healthcare provider is bound to the patient by the confidentiality contract. Training programmes focusing on this aspect are much needed based on the finding in our study. Confidentiality is a key aspect of the doctor patient relationship and is one of the non-negotiable tenets of medical ethics. Respondents were unsure about disclosing the medical information related to patient to a third party or insurance provider. Information as per local country laws should be disseminated to all healthcare providers.

Far greater clarity was found amongst the respondents in items related to record keeping and informed consent. Majority of the respondents were of the opinion that hospital is legally bound to maintain the records of the patients and that a record is the legal property of a patient. It is very important for doctors and medical establishments to properly maintain records of patients for medico legal purposes.²² Poor record keeping has been the commonest way for proving medical negligence against a doctor. When enquired regarding the storage period of medical records of patient in medico-legal cases, 77% of the respondents were of the opinion that the records should be retained till the case is concluded. Though medical records constitute an important part of patient management it has been observed that there are a lot of lacunae in proper record keeping.²⁶ Awareness workshops should be conducted for healthcare professionals to train them thoroughly in all aspects of record maintenance.

Majority of respondents were aware that informed consent from patient is mandatory prior to an invasive procedure. Most agreed with the fact that children should be treated only with the consent of parents or guardian except in cases of emergency. It is important that a patient's right to decide for themselves whether to accept or refuse the offered treatment must be respected.^{23,24} However several studies have found out that there was a very low level of comprehension regarding informed consent and that it was understood by very few patients.²⁵ Emergency Medical professionals work in very high stress situations where every minute of delay spells the difference between life and death. In such high pressure situations, it becomes very difficult to decide whether one should wait for consent or move on with the lifesaving procedure. So it is very important that clear set of policies and guidelines are highlighted which will help in tackling such situations in a better way.

5. CONCLUSION:

Healthcare providers with thorough knowledge and understanding of patient rights can contribute significantly to the success of the healthcare system of any country.

Although, the study reassures high level of awareness regarding medico legal aspects, yet topics related to confidentiality need greater sensitization. of patient care, there was lack of clarity with respect to several concepts too. Regular professional upgradation in the form of frequent skill development including communication skills must be conducted. This will ensure

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that the caregiver is well prepared to deal with the patient leaving minimum scope error in patient care.

The study is limited by its sample size yet offers valuable insights to plan future training programmes on medico legal aspects for healthcare providers.

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Conflict of Interest: None

Ethical Clearance: Obtained from Independent Ethics Committee (IEC), SIU

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