

Preventing Complaints

by Practising Ethical Medicine

Dr Lawrence Chan

Whether a doctor has practised ethical medicine is best judged by his peers. If he is appraised to be ethical in the way he conducts his medical practice, that individual doctor gains the recognition and credibility amongst the medical profession. There is also another dimension – that of personal satisfaction as more patients are attracted to his or her practice. As is often stated, 'The best way to succeed in one's practice is to do good medicine.'

NEGLIGENT PRACTICE

At times the practice of a doctor is called into question. This is usually when a mishap occurs and the patient and his relatives are dissatisfied. This results in a complaint to the professional body or worse, a suit for negligence by the patient through his lawyer.

Alleged negligence by a doctor is one of the worst fears that a medical practitioner can face. It calls into question his professionalism and integrity. Further, there may be a fear that the medical regulatory body may revoke his registration to practise medicine. When the complaint or suit is made public, it will adversely affect his reputation and his practice will suffer.

PREVENTION OF NEGLIGENT PRACTICE

This begins with a proper undergraduate education when the elements of medicine are learnt and the ethics by which it is practised is imbibed. Here the model of senior practitioners and teachers is all-important. Although a course in medical ethics can be taught and even made compulsory, it is in the learning and

practice of medical ethics that is important. As in the case of honesty being the best policy, so the practice of medicine with due regard for the patient's welfare, will prove to be rewarding to both the patient and the doctor.

In postgraduate and later practice, ethical principles in medical practice need to be reinforced by education and peer review. The emphasis is that the practice of medicine is not only head knowledge, important though this may be, but also heart knowledge, when one feels for the patient and puts his welfare before one's own.

WHEN THINGS GO WRONG

The practice of medicine is not an exact science. This is because of the variations of disease and the variable response of each human body. The doctor can at best try to reach a reasonable diagnosis upon which to prescribe an appropriate treatment. At times mishaps can occur. This can be after medication or surgery.

What recourse then has the medical practitioner? First of all, his clinical notes will record what took place during the consultation, diagnosis, advice, treatment and follow-up. An early discovery of the mistake or misadventure and timely remedial steps taken will substantiate his care. A full disclosure of the incident to the patient and his relatives may prevent a hasty complaint from ensuing. Next, the doctor's membership of a reputable and competent medical defence society will provide some comfort. In the event of a 'no fault compensation', his reputation may be saved. Finally, when the case is up before a tribunal or court, an understanding judge knowledgeable in the nuances of medical treatment

outcomes may exonerate him of the wrongful allegation of negligence. In the event of a 'no fault compensation' his reputation may be saved.

GUIDELINES FOR MEDICAL PRACTITIONERS

Firstly, the doctor should strive to remain competent and knowledgeable in his area of practice. Secondly, he should cultivate a good doctor-patient relationship; giving enough time for consultation, examination and explanation of the disease conditions and the options for treatment. A lack of communication between doctor and patient is an important reason for a patient to complain against his doctor. Thirdly, when an adverse event occurs, he should quickly and honestly explain what has gone wrong and carry out remedial measures.

The doctor should also at all times, show that he is working for the best interests of the patient. When he realises that a certain condition is out of his depth of knowledge and expertise, he should suggest a second opinion and be ready to refer his patient with full documentation to another Specialist.

By exercising care, professionalism and humility, a doctor can assure his patient that he has the patient's ultimate welfare in mind. Practising ethical medicine can prevent patient's complaint and suit. ■

Dr Lawrence Chan is at present senior consultant in the department of General Obstetrics and Gynaecology, K K Women's and Children's Hospital. He was Master of the Academy of Medicine 1985 to 1987 and a member of the National Medical Ethics Committee from 1994 to January 2000.