

Protection of a Doctor's Reputation Against the Unjustified Medical Malpractice Allegations

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Abstract : For a very long time, the doctor-patient relationship had a paternalistic character. The events of the II World War, as well as fast development of the biotechnology and medicine caused an important change in that relationship. Human beings and their dignity were put in the centre of philosophical and legal debate. The increasing frequency of clinical trials led to the emergence of bioethics, which dealt with the topic of the possibilities and boundaries of such research in relation to individual's autonomy. Thus, there was a transformation from a paternalistic relationship to a more collaborative one in which the patient has more room for self-determination. Today, patients are more and more aware of their rights and the obligations placed on doctors and the health care system, which is linked to an increase in medical malpractice claims. Unfortunately, these claims are not always justified. There is a strong concentration around the topic of patient's good, however, at the other side there are doctors who feel, on the example of Poland, they might be easily accused and sued for medical malpractice even though they fulfilled their duties. Such situation may have a negative impact on the quality of health care services and patient's interests. This research is going to present doctor's perspective on the topic of medical malpractice allegations. It is supposed to show possible damage to a doctor's reputation caused by frivolous and weakly justified medical malpractice accusations, as well as means to protect this reputation.

Keywords : doctor's reputation, medical malpractice, personal rights, unjustified allegations

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