

Redefining Doctors' Role in Terms of Medical Errors and Consumer Protection Act to Be in Line with Medical Ethics

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Abstract : Introduction: Doctor's role, and relation with respect to patient care is at the core of medical ethics. The rapid pace of medical advances along with increasing consumer awareness about their rights and hike in cost of effective health care demand a robust, transparent and patient-friendly medical care system. However, doctors' role performance is still in the frame of activity-passivity model of Doctor-Patient Relationship (DPR) where doctors act as parent and use to instruct their patients, without their consensus that is not going to help in the 21st century. Thus the current situation is a new challenge for traditional doctor-patient relationship after the introduction of Consumer Protection Act (CPA) in medical profession and the same is evidenced by increasing cases of medical litigation. To strengthen this system of medical services, the doctor plays a vital role, and the same should be reviewed in the present context. Objective: To understand the opinion of consultants regarding medical negligence and effect of Consumer Protection Act in terms of current practices of patient care. Method: This is a cross-sectional study in which both quantitative and qualitative methods are applied. Total 69 consultants were selected from multi-specialty hospitals of densely populated Varanasi city catering a population of about 1.8 million. Two-stage sampling was used for selection of respondents. At the first stage, selection of major wards (Medicine, Surgery, Ophthalmology, Gynaecology, Orthopaedics, and Paediatrics) was carried out, which are more susceptible to medical negligence. At the second stage, selection of consultants from the respective wards was carried out. In-depth Interviews were conducted with the help of semi-structured schedule. Two case studies of medical negligence were also carried out as part of the qualitative study. Analysis: Data were analyzed with the help of SPSS software (21.0 trial version). Semi-structured research tool was used to know consultant's opinion about the pattern of medical negligence cases, litigations and claims made by patient community and inclusion of government medical services in CPA. Statistical analysis was done to describe data, and non-parametric test was used to observe the association between the variables. Analysis of Verbatim was used in case-study. Findings and Conclusion: Majority (92.8%) of consultants felt changes in the behaviour of community (patient) after implementation of CPA, as it had increased awareness about their rights. Less than half of the consultants opined that Medical Negligence is an Unintentional act of doctors and generally occurs due to communication gap and behavioural problem between doctor and patients. Experienced consultants (> 10 years) pointed out that unethical practice by doctors and mal-intention of patient to harass doctors were additional reasons of Medical Negligence. In-depth interview revealed that now patients' community expects more transparency and hence they demand cafeteria approach in diagnosis and management of cases. Thus as study results, we propose 'Agreement Model' of DPR to re-ensure ethical practice in medical profession.

Keywords : doctors, communication, consumer protection act (CPA), medical error

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