

Original research paper

Medical Ethics, Duties & Medical Negligence Awareness among the Practitioners in a Teaching Medical College, Hospital-A Survey

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Abstract

There is Growing public awareness regarding the ethical conduct of medical practitioners, and complaints against physicians appear to be escalating. The changing doctor-patient relationship and commercialization of modern medical practice has affected the practice of medicine.

This study aimed to assess the knowledge of, and attitudes to, medical ethics among doctors in the Kalinga Institute of Medical Sciences (KIMS), Bhubaneswar, Orissa. A self-administered structured questionnaire was distributed to all doctors; a total 120 numbers of practitioners of various clinical departments participated. 90% of the total participants were well aware about medico legal cases. All the participants advocated for an ethical practice but 12% of them practice as per the demand of the situation. 68% of the participants expressed that dichotomy should not be a part of medical practice. Only 52% of the respondents are aware of the MCI code of medical ethics 2002 and 57% knows the role of ethical committee in their institute. Majority, 88% of them expressed that 15 days duty in the department of Forensic Medicine should be mandatory during internship to handle the medico legal cases properly.

Key Words: Medical Ethics, Negligence, Medico Legal Cases

Introduction:

Multiple factors - the increasing use of technology, paradigm shifts in patients' attitudes to doctors (and vice versa!), consumerism, litigation, and so on - have resulted in making the law an integral aspect of healthcare today. [1] Legal and ethical aspects of healthcare address some of these new issues. In medicine, professionalism connotes not only knowledge and skills, but also character, especially compassion and ethics. [2]

There is Growing public awareness regarding the ethical conduct of medical practitioners, and complaints against physicians appear to be escalating. The changing doctor-patient relationship and commercialization of modern medical practice has affected the practice of medicine. Patient suspects negligence as a cause of their suffering. There is an increasing trend of medical litigation by unsatisfied patients.

The recent increase in litigation against doctors is an issue of immediate concern. [3] The reasons for these are social, economic, professional and judicial. Social factors include increasing media awareness about medical facts and fallacies, professional accountability, and rights of patients in terms of information, decision-making and assessing outcomes. Negative publicity in the media about the profession has done further damage. Moreover, doctor-patient confrontations have been increasing in the recent past.

Doctors should familiarize themselves with the regulations and laws that concern their practice. Doctors have several ethical, moral and legal obligations in their duties. It is therefore very important that every doctor understands the nature of these obligations and then fulfills these obligations to the best of their ability. [4]

Why this study?

Ignorance of law is no excuse for violating it. It is duty of everyone to know the law which concerns him or her. Nowadays practicing medicine is hazardous & risky. Mutual faith replaced with mutual suspicion. This study was taken up to assess the knowledge and practice of medical ethics and professionalism among doctors working in Kalinga Institute of Medical Sciences (KIMS), Bhubaneswar, Orissa.

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Materials and Methods:

A study was conducted at the Kalinga Institute of Medical Sciences Bhubaneswar in the month of January & February 2010. All the doctors of the clinical departments were approached and total 120 are included in the study. Those who were on leave, refused to participate and those who were not available on the third visit were excluded from the study. A structured, self administered questionnaire containing 19 items relating to awareness and attitudes to medical ethics was devised and pre-tested. An analysis was carried out for the questions by categorizing them into either the "yes" or the "no" and "can't say /don't know" answers. Permission to conduct the study was obtained from the institute authority. Oral informed consent was taken from each respondent. Confidentiality was maintained.

Observation:

In this survey total 120 numbers of practicing clinical faculties of various clinical departments of Kalinga Institute of Medical Sciences hospital are included. Answering the questions about the awareness regarding the medico legal cases 90% of the participants said that they are well aware about the medico legal cases and 82% of the total study group said that they are taking precautions while handling medico legal cases (Table No.-1). Responding to the questions about the medical ethics (Table No.-2) 100% of the participants favored an ethical practice but 12% of them are practicing as per the demand of the situation. 68% of the respondents strongly disagree with the dichotomy in medical practice, 52% of the participants have knowledge about the MCI's code of ethics 2002 and little more than that i.e. 57% are aware of the role of ethical committee in their institute, 54% of the participants have suggested that the code of medical ethics should be modified with the changing scenario of law in relation to medical practice.

When answering the questions relating to medical negligence and related affairs (Table No.-3) 82% of the participants are well aware to the facts that what makes a practitioner negligent in the view of the patients and 85% of them are taking proper precautions to prevent the litigations. Though 84% of the participants believe that proper consent and documentation can prevent a charge of negligence still 20% of them are either not taking or reluctant to take proper consent before any examination or procedure. About the rights of being a registered medical practitioner (Table No.-4) 43% of the total study group expressed their view that using "RED CROSS" emblem is the right of a doctor and 69% of them strongly agree that inclusion of medical practice under the purview of CPA has made it defensive medicine.

In spite of an increasing trend of litigations and compensation suites against the practitioners, only 35% of the total participants have insured themselves and 16% of them are ignorant about the self insurance in practice. Responding to other various aspects of medical practice (Table No.-5) 68% of the participants stated that they are not aware about the international format of Death Certification, 85% of them strongly opposed euthanasia in medical practice. 88% of the respondents expressed their positive desire that 15 days duty in the Department of Forensic Medicine should be made mandatory during internship to handle the medico legal cases properly in future professional life and all of them (100%) have shown their eagerness to attend the CME in relation to medico legal cases and medical ethics if conducted in regular intervals.

Discussion:

During the survey of 120 faculty members from clinical departments of KIMS it was observed that 10% of them are not sure of identifying the medico legal cases they come across and 18% don't care to take any precaution while dealing with MLC. Although every one in the survey are in favor of doing ethical practice 12% deviates at times. Taking commission although became a regular phenomenon in all other professions still it is considered as unethical on the part of a RMP as per the MCI guide lines. About half of the respondent doctors had "heard" and even "read" the Code of Ethics. This could be because the respondents consulted their colleagues or read the code between the time they received the questionnaire and the time that they returned the completed questionnaire. However, questions on specific sections of the Code of Ethics received fewer correct responses, indicating lack of in-depth knowledge about medical ethics. Though nearly 57% knew about an ethics committee in KIMS, very few knew about the role played by the committee. This could be because of the very limited role played by the ethics committee in the institute.

The committee looks after ethical issues of research only. As it is highlighted 18% are not aware of their activities which can prevent them from negligence and 7% knows very little. As such 15% are not able to take any precaution in preventing charge of negligence. 20% of them don't know that just taking a consent and proper documentation will be much more beneficial in preventing litigations. Even when more than half the respondents are unaware about questions on self insurance and whether doctors were covered under the Consumer Protection Act, their responses could not be considered satisfactory as such things should be known by all doctors.

Conclusion:

There was lack of proper and detailed knowledge on the MCI's Code of Ethics among doctors in KIMS, though a little more than half of them had read it once or partially. There is a need to sensitize them to the Code of Ethics and to medical ethics in general. A test on the code at the time of registration could be considered. [5] The medical ethics, acts related to medical practice should be emphasized in the MBBS under graduate so also in post graduate syllabus and examinations. There is always a continuum between practice and education because a medical career is one of life-long learning. Medical ethics teaching and training should help the doctors at any level whatever may be the discipline to assimilate and conceptualize the basic principles of ethical reasoning. [6] The application of ethics to medical practice dates back to ancient civilization as even today, all medical graduates must swear symbolic adherence to the Hippocratic Oath. Codes

of conduct and laws regulating the profession are laid down from time to time. [7] The periodical CME programme in medical ethics should be mandatory for all practitioners.

References:

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Table No.1
(N = 120)

Question	Yes	No	To some extent
Awareness about medico legal cases	108(90%)		12(10%)
Taking precautions during handling medico legal cases	98(82%)	22(18%)	

Table No.2

Question	Yes	No	As the situation demands/ Can't say
Are you in favor of an ethical practice	120 (100%)		
Are you practicing as per the ethics	105 (88%)		15 (12%)
Usefulness of dichotomy in medical practice	20 (16%)	80 (68%)	20 (16%)
Are you aware of MCI's Code of Ethics, 2002	62 (52%)	38 (32%)	20 (16%)
Do you know the role of ethical committee in your institution	68 (57%)	32 (27%)	20 (16%)
Are you in favor of a modification in medical ethics	64 (54%)	36 (30%)	20 (16%)

Table No.3

Question	Yes	No	Sometimes / Don't know / Depending on the circumstance
Do you know what makes a practitioner negligent	98 (82%)	22 (18%)	
Are you taking precautions to prevent charge of negligence	102 (85%)	08 (07%)	10 (08%)
Are you taking proper consent before any examination or procedure	96 (80%)	10 (08%)	14 (12%)
Do you think consent and documentation can prevent a charge of negligence	100 (84%)	10 (08%)	10 (08%)

Table No.4

Question	Yes	No	Don't Know
Have you insured yourself	42 (35%)	58 (49%)	20 (16%)
"RED CROSS" emblem is the right of the doctors	52 (43%)	56 (47%)	12 (10%)
Inclusion of medical practice in CPA made the practice defensive	82 (69%)	20 (16%)	18 (15%)

Table No.5

Question	Yes	No	Don't Know
Are you aware of International format of Death Certificate	38 (32%)	82 (68%)	
Do you favor EUTHANASIA	12 (10%)	102 (85%)	06 (05%)
Do you feel 15 days forensic medicine duty during internship to be made mandatory to handle the MLC properly	105 (88%)	15 (12%)	
CME in relation to MLC and medical ethics in regular interval	120 (100%)		