

Attitude and Knowledge of Medical Negligence among General Population of Ahmedabad City, Gujarat

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Abstract

This study explored perspective and knowledge on medical negligence among the general population of Ahmedabad city. 500 Peoples voluntary participated in the study. Peoples were asked to respond anonymously to a structured questionnaire which dealt with their views, perception, knowledge and attitude toward medical negligence. In the present study, out of 500 participants, 69% were male, 58.4% were aged between 21-40 years & 56.8% were graduate & postgraduate. The majority of people have quite good knowledge about medical negligence, but less knowledge about legal proceedings regarding medical negligence. Educational seminar and awareness programs on this subject may helpful for them and for medical professionals also.

Keywords : Attitude, Knowledge, Medical Negligence, General Population

Introduction

In ancient Egypt, practice of medicine was subject to legal restrictions. The right to practice was restricted to people of a certain class, and all doctors had to learn and follow the precepts laid down by their predecessors. Obviously, this was the way to protect the public from quackery. If unsatisfactory results followed a course of treatment that had departed from the orthodox, the responsible doctor would be liable to punishment, which could be very harsh. Similar legal restrictions on medical practice were also found in other early civilizations such as Babylon and India¹.

Medical Negligence is defined as absence of reasonable care and skill or willful negligence of medical practitioner in the treatment of patient which cause bodily injury or death of patient². Nowadays allegation & litigation regarding medical negligence is increasing day by day. Many of them may be false allegation & some may be true. But in current situation,

attacks on doctors & hospitals in Indian cities are on the increase because of lack of knowledge about medical negligence & its legal proceedings. As medicine is a noble profession but there is also growing anxiety both within the medical profession and in the community regarding increasing trends of complaints and lawsuits against doctors³. Present study was carried out to know perspective and knowledge on medical negligence among general population.

Material and Method

This cross-sectional study was done from January to June 2019. General Population of Ahmedabad City was selected for the study. The study was done with the help of questionnaires specially prepared in vernacular language i.e. Gujarat for the study. After obtaining written informed consent of interested people, questionnaires were given to participants & responses were made anonymously. Incomplete filled forms were excluded from the study. After obtaining the response, some facts of medical negligence regarding the given questionnaires were acquainted and tried to clear their doubts, if any. A total of 500 peoples participated successfully in the study. The questionnaires consisted of perspective and knowledge of the Medical negligence and legal proceeding regarding medical negligence.

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Observation

Questionnaires were distributed among a small group of the general population and obtained a response. A total of 500 respondents successfully participated & included in the study. The data regarding socio demographic characteristics of respondents, response to questionnaire about medical negligence & its legal proceedings obtained, was tabulated and analyzed. The data obtained are shown in **Tables 1,2 &3.**

Table 1: Socio-demographic characteristics of the respondents

Characteristics of the Respondents	Number	%
Sex		
Male	345	69%
Female	155	31%
Age		
21-30	124	24.8%
31-40	168	33.6%
40-50	135	27%
50-60	69	13.8%
60-70	4	0.8%
Education		
Below 10 standard	71	14.2%
Higher Secondary	145	29%
Graduate	189	37.8%
Post Graduate	95	19%
Occupation		
Laborer	48	9.6%
Farmers	72	14.4%
Housewife	53	10.6%
Students	70	14%
Employee	157	31.4%
Business	86	17.2%
Lawyer	14	2.8%

Table 2: Questionnaire about Medical Negligence

Sr No	Questions / Statements	Response In Numbers & (%)				
		SD	D	NS	A	SA
1	Doctor can liable for Professional Negligence	0 (0 %)	0 (0%)	8 (1.6%)	335 (67%)	157 (31.4%)
2	Other Hospital Staff can liable for Negligence	38 (7.6%)	150 (30%)	17 (3.4%)	234 (46.8%)	61 (12.2%)
3	Refusal to admit patient requiring urgent hospitalization is Negligence	14 (2.8%)	21 (4.2%)	24 (4.8%)	204 (40.8%)	237 (47.4%)
4	Not ordering proper investigation according to sign & symptoms is negligence	5 (1%)	15 (3%)	31 (6.2%)	258 (51.6%)	191 (38.2%)
5	Performing any procedure & Operation without inform consent is Negligence	17 (3.4%)	28 (5.6%)	15 (3%)	345 (69%)	95 (19%)
6	Performing operation on wrong limb is negligence	0 (0%)	0 (0%)	0 (0%)	88 (17.6%)	412 (82.4%)
7	Doctor do not provide another doctor to admitted patient during his absence is negligence	25 (5%)	97 (19.4%)	33 (6.6%)	214 (42.8%)	131 (26.2%)
8	Give premature discharge is negligence	36 (7.2%)	89 (17.8%)	18 (3.6%)	246 (49.2%)	111 (22.2%)
9	Failure to inform patient of the risk of refusal treatment & Discharge against medical advice is negligence	25 (5%)	78 (15.6%)	19 (3.8%)	250 (50%)	128 (25.6%)
10	If disease is not cured after treatment, It is negligence.	127 (25.4%)	197 (39.4%)	13 (2.6%)	148 (29.6%)	15 (3%)
11	If patient has side effect of prescribed treatment, It is negligence.	184 (36.8%)	165 (33%)	43 (8.6%)	78 (15.6%)	30 (6%)
12	Patient without serious Illness die during treatment is negligence	70 (14%)	144 (28.8%)	28 (5.6%)	193 (38.6%)	65 (13%)
13	Patient die during Operation, It is always due to negligence.	61 (12.2%)	186 (37.2%)	12 (2.4%)	149 (29.8%)	92 (18.4%)

(SD = Strongly Disagree, D = Disagree, NS = Not Sure, A = Agree, SA = Strongly Agree)

Table 3: Questionnaire about Legal Proceeding regarding Medical Negligence

Sr. No	Questions / Statements	Response In Numbers & (%)				
		SD	D	NS	A	SA
1	In suspected case of negligence, you have to file complain in concerned police station.	0 (0%)	0 (0%)	5 (1%)	126 (25.2%)	369 (73.8%)
2	In suspected case of negligence, you can file complain in State medical council.	0 (0%)	0 (0%)	418 (83.6%)	46 (9.2%)	36 (7.2%)
3	Postmortem is necessary in case of death due to medical negligence	76 (15.2%)	108 (21.6%)	75 (15%)	154 (30.8%)	87 (17.4%)
4	Primary report regarding medical negligence is given by Medical Board of Government Doctors in suspicious case of negligence on requisition of Police.	5 (1%)	23 (4.6%)	329 (65.8%)	95 (19%)	48 (9.6%)
5	Police cannot arrest doctor or lodged FIR without report of medical negligence by medical board in suspicious case of negligence	151 (30.2%)	239 (47.8%)	100 (20%)	5 (1%)	5 (1%)
6	Death due to negligence is punishable in court	4 (0.8%)	8 (1.6%)	15 (3%)	179 (35.8%)	294 (58.8%)
7	Compensation may be given by consumer court for damage due to negligent act.	30 (6%)	78 (15.6%)	27 (5.4%)	216 (43.2%)	149 (29.8%)
8	Threaten or attack on a doctor is punishable in court even if doctor is truly negligent.	0 (0%)	0 (0%)	0 (0%)	286 (57.2%)	214 (42.8%)

(SD = Strongly Disagree, D = Disagree, NS = Not Sure, A = Agree, SA = Strongly Agree)

Discussion

There are good numbers of studies available about knowledge, awareness & attitude regarding medical negligence among health care professionals³⁻⁸, but very few study available for general population. In the present study, a total of 500 peoples from Ahmedabad city participated, all were aged above 20 years with different educational levels & variable occupational status and quite capable of understanding the subject which we studied. We observed that the knowledge of medical negligence was found to be satisfactory, but the knowledge was poor about legal proceeding regarding medical negligence, our findings are consistent with

Parmar P et al⁹ & Siddiqui M N¹⁰

(A) Knowledge about Medical Negligence

In the present study, 98.4 % of respondents agreed upon that, Doctor can be liable for Professional Negligence. But only 59% of people agreed upon that, other hospital staff can also be liable for Negligence, 37.6% respondent disagreed with this.

We observed that 88.2% of people were agreed with that, refusal to admit patients requiring urgent hospitalization is Negligence. 89.8% of people were agreed upon that, if a doctor don't order proper

investigation according to sign & symptoms is negligence. 88 % respondents were agreed upon that Performing any procedure & operation without informed consent is Negligence. It means the general population has sufficient knowledge about the duties of doctors and consent.

All participants were agreed upon that, performing operation on wrong limb is negligence. 69% of respondents knew that, if a doctor does not provide another doctor to a hospitalized patient during his absence is negligence. 71.4 % of respondents were of the agreement that giving a premature discharge to a patient who needs further treatment & care is negligence. 75.6 % of respondents agreed upon that, failure to inform a patient of the risk of refusal treatment & discharge against medical advice is negligence. It means that peoples are quite aware that, gross absence of skill & absence of due care is negligence.

In present study, 64.8% of respondents were aware that, if disease is not cured after treatment, It is not negligence, but still 32% respondent agreed upon that, if the disease is not cured after treatment, It is negligence. Similarly, 69.8% of respondents knew that if a patient has side effect of prescribed treatment, It is not negligence, but 21.6% of respondents were still believed that if a patient has a side effect of prescribed treatment, it is negligence. The general population is aware of medical maloccurrence, and there is not a 100% guarantee for a cure. But still some people don't think so; this type of attitude may be harmful to the medical profession.

We observed that 42.8% of respondents were disagreed upon that, a patient without serious Illness die during treatment is negligence, but 51.6% were agreed with this. 49.4% of respondents disagreed that, patient die during Operation, It is always due to negligence, but 48.2% were agreed with this. It means large numbers of people are not aware of the course of illness, risk of operation & anesthetic complications.

B) Knowledge of legal Proceeding regarding medical negligence

In the present study, 99% of respondents were aware that in suspected cases of negligence, you have to file complain in the concerned police station. But 83.6 % of respondents were not sure about that, one can file complain in State medical council in a suspected case of negligence.

65.8 % respondents were not sure that Medical Board of Government doctors gives a primary report regarding medical negligence, in suspicious case of negligence on requisition of Police.

We observed that 48.2 % of participants were agreed upon that postmortem is necessary in case of death due to medical negligence, while 36.8% were disagreed.

78% of Respondents disagreed that Police cannot arrest doctor or lodged FIR without report of medical negligence by medical board in suspicious cases of negligence. We had 14 lawyers in our study, but only 10 participants were agreed on this statement.

Compensation may be given by consumer court for damage due to the negligent act, 73 % of participants were agreed with this statement. Still, 27% had no awareness about the consumer protection act.

We observed that 94.6 % of participants were agreed upon that death due to the negligence is punishable in court. All participants believed and agreed upon that threaten or attack on a doctor is punishable in court even if doctor is truly negligent.

Overall knowledge about legal proceedings regarding medical negligence was not satisfactory. We have to arrange training sessions & seminars for the general population, lawyers and police.

Conclusion

After analyzing the response of participants, we conclude that, the knowledge of medical negligence in context to duties of doctors, consent, gross absence of skill & due care is found to be satisfactory. However, still, there is a false belief about a guaranteed cure and medical maloccurrence in some people. We also conclude that knowledge is poor about legal proceedings regarding medical negligence. Medical professionals must obtain informed consent before any procedure and sensitize their patients about medical maloccurrence. We have to arrange seminars, awareness programs & training sessions regarding medical negligence & its legal proceedings for the general population, lawyers and police.

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References

- 1) Kong-lung H. Law and Ethics in Medical Practice: An Overview, *Medicine Section* 2003; 8(6) : 3-7.
- 2) Reddy KSN. The essentials of Forensic Medicine and Toxicology. 34th ed. 2017: 34-46.
- 3) Rai J J, Acharya R V, Dave D. Knowledge and Awareness among interns and residents about medical law and negligence in a medical college in Vadodara – A Questionnaire Study. *Journal of Dental and Medical Sciences* 2013;3(4):32-38
- 4) Dash S K. Medical Ethics, Duties & Medical Negligence Awareness among the Practitioners in a Teaching Medical College, Hospital-A Survey. *J Indian Acad Forensic Med*, 2010; 32(2): 153-156.
- 5) Makhani C S , Petkar M R , Chavan K D , Rao T V . Awareness of Medical Ethics and Medico-legal issues amongst Medical Professionals. *Indian Journal of Forensic Medicine and Pathology*, 2011; 4(4): 151-155.
- 6) Singh K, Shetty S, Bhat N, Sharda A, Agrawal A, Chaudhary H. Awareness of Consumer Protection Act among Doctors in Udaipur City, India. *Journal of Dentistry, Tehran University of Medical Sciences, Tehran, Iran*, 2010; 7(1): 19-23
- 7) Varghese A M, Vaswani V R, B. Kishor Kumar, Shenoy V . Awareness and Attitude of Medical Negligence and Medical Ethics among Interns and Resident Doctors, *International Journal of Current Microbiology and Applied Sciences* 2016 ;5(11):532-35
- 8) Haripriya A, Haripriya V. Knowledge about medical laws & Negligence in doctor. *International Journal of Scientific and Research Publications* 2014 ;4(5):1-3.
- 9) Parmar P, Rathod G B. Knowledge and awareness among general population towards medical negligence. *IAIM*, 2016;3(7):250-54.
- 10) Siddiqui M N, Dhungana Hom Nath, Ahmad Nadeem, Dhungana Asmita P; Knowledge and Awareness towards Medical Negligence among General Population Visiting a tertiary Care Hospital in Northern Indian Region. *Medico-Legal Update* 2018;18(1):228- 31