
Pre-Operative Medicolegal Tips for Hospitals.

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Preparing a patient for a surgery is a critical process. Medico-legal problems can be reduced by necessary preparation before the surgery. WHO (World Health Organization) has provided a few guidelines for the medical side of it. In this article as the name suggest we will see Medico-Legal aspects of the pre-operative preparation for an operation.

1. Consent -

Consents are divided under many heads but for purpose of this article we will divide it into two parts a blanket consent and a procedure specific consent.

A blanket consent covers the general rules and regulation of any procedure, like - I have accepted to a procedure by my free will, I am aware of the expenses of the procedure, I accept recovery may take a prolonged time etc. A blanket consent is used for any procedure

A procedure specific consent explains patient the procedure specific problems. A procedure for an ACL tear and a Cataract operation are different and their risks also differ. Though there are so many procedures it is not possible to have pre-printed consents for all the procedure. It is always advisable to write down specific risk of a procedure on a paper while explaining the procedure to the patient and get a sign of the patient under it. Also include complications arising due to comorbidities. Any complication which has a probability of more than 5% should be explained to the patient in writing.

2. Enough Time for the patient to prepare mentally -

Once the patient is explained the procedure, give patient enough time for preparation of the procedure. Always ask if the patient is financially prepared for the procedure. Do not rush the patient (until of course if it is an emergency). Normally if the patient is rushed the patient can blame the doctor that they were forced in the procedure. If the patient wants to take a second opinion allow him to do so.

3. Always **allocate** time to solve patients doubts -

Always clarify all the doubts patient have. It is a good practice for asking the patient to write down their doubts and you answering those doubts and writing them down simultaneously. Preserve the paper and attach it to the patient file. I have heard a lot of doctors complaining that patient ask to many doubts. A solution for this is to give them a stipulated time and asking them to write down their doubts also ask your junior doctor to explain the basic doubts they have.

4. Give enough time for patient to do all the needed test -

List down all the test and ask the patient to complete the test. Do not rush to do a procedure until all the test a complete. If a medico-legal case **does pop-up** and all the written test are not done than it may amount for negligence. If a test is not necessary don't write it on the case paper.

5. Never let your nursing staff clear doubts of the patient -

Every staff person in your hospital should have defined scope of work. Always train your staff not to go beyond their scope and clear doubts of the patient. Misinformation leads to confusion and fear and the blame is transferred on the doctor. The hospital is responsible for everything that their staff say.

6. Identify the Patient and the Site of procedure -

WHO has given an exhaustive list on things to check before a procedure and they have covered "Identify the Patient and the Site of procedure". But just to **reemphasis** the importance this point it has been added to this list. It is important that before beginning of a procedure the one person in the OT reads aloud the patient's name, the procedure and the site of the procedure and the rest of persons in the OT identify the patient and the site of the procedure. Most of the medico-legal problems arise due the such basic negligence.

7. Specialists on Call -

All the **necessary** specialist should be available on call incase there is complication in the procedure. **Non-availability** of specialist can amount to negligence.

8. Check all necessary medication is in place -

It is always a good practice just before the procedure one person in the OT reads aloud the list of medications needed for the procedure and another staff member verifying the stock. All lifesaving medications need to be in stock at all times.

9. Check All equipment is working -

All equipment need to be checked and maintained on regular bases ensuring their workability. A failure of a medical equipment does amount to medical negligence. Lifesaving equipment like defibrillator, should always be available in the OT at any given time.

Medicolegal problems may arise at any point of time but can be avoided with better preparation.