

COVID-19 and Medical Legal Liability Awareness: Where Are We? - A Survey among Health Care Professionals

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ABSTRACT

Objective: The main objective of the study is to evaluate COVID-19 and medical legal liability Awareness and regarding medico-legal issues assess the knowledge of health care professionals.

Methods: This is a survey based study conducted among health care professional and their associates. A pre designed questionnaire was used to conduct the survey. No individual students were identified and all answers were kept confidential. Survey once completed participants were not allowed to re-participate.

Results: Among the participants 15% were intern student from different medical colleges, 17.5% were post graduate students, 11.7% and 8.3% were senior lecturer and professor respectively. Majority of the participants were private clinic practitioner (25%). 54.2% participants were aware of COPRA while 7.5% were knowing the local office which deals with COPA. Surprisingly only 5.8 % know whom to contact in COPRA office for any kind of assistance. 15% of participants were aware of professional indemnity claims. Only 6.7% has taken an insurance claim to protect themselves.

Conclusion: The participants were lacking of knowledge regarding medico- legal courses, professional indemnity claim and consumer protection act while they have little bit of fare knowledge for medical ethics and informed consent. To be on legally safer side, understanding of these issues and update is an immediate need.

Keywords: Medico Legal, Consumer Protection Act, Health care professional, COVID-19.

INTRODUCTION

Can economic and social damage worldwide is caused by COVID 19. In relation to Covid-19 professional responsibility has created a problem which has recently been considered. For example, for doctors engaged in the battle against Sars-Cov-2, the American Medical Association (AMA) has pro- posed specific liability protection. Doctors and health care professional are being targeted by legal claims who are also at the forefront of the Covid-19 emergency^[1-3].

An issue of paramount concern is recent increasing trend in litigation against doctors. The reasons for these are decision making reporting and professional accountability of both print and electronic media. Health care profession which once considered white collar profession damaged because of the negativity spread through the media.

Against exploitations and unfair dealings, effectively safeguarding consumers were provides by COPRA (Consumer Protection Act) 1984^[4].

It is not easy to find a balance between the need to identify and punish healthcare facilities and the liability protection of health professionals and punish administrators of healthcare facilities who had charge of management during the Covid-19 pandemic.

The main objective of the study is to evaluate Covid-19 and medical legal liability Awareness and regarding medico-

legal issues assess the knowledge of health care professionals.

MATERIAL AND METHODS

This is a survey based study conducted among health care professional and their associates. A pre designed questionnaire was used to conduct the survey. No individual students were identified and all answers were kept confidential. Survey once completed participants were not allowed to re-participate. After approaching to each health care professional and getting their consent for the participation in this survey, a written informed consent was collected from each participant. SPSS (Statistical Packages for Social Sciences) Version 18.0 software were used to analyse the data. Microsoft excel sheet were used to collect the data thereafter with help of SPSS 22.0 data were analysed. A descriptive bivariate analysis was performed; for the chi-squared distribution, significance was assumed to be <0.05.

RESULT

120 health care professional was participated in this survey. Details of

participants according to their specialities and designation were listed in table 1.

Among the participants 15% were intern student from different medical colleges, 17.5% were post graduate students, 11.7% and 8.3% were senior lecturer and professor respectively. Majority of the participants were private clinic practitioner (25%).

Table 1: Details of participants according to their specialities and designation

Sr No	Designation	N (%)
1	Medical College Intern Student	18 (15%)
2	Post Graduate Student	21 (17.5%)
3	Senior Lecturer	14 (11.7%)
4	Professor	10 (8.3%)
5	Nurse	18 (15%)
6	Private Clinical Practitioner	30 (25%)
7	Doctors Attender	5 (4.2%)
8	Physiotherapists	4 (3.3%)

Consumer Protection Act (COPRA) awareness is demonstrated in table 2. Our results show that only 54.2% participants were aware of COPRA while 7.5% were know the local office which deals with COPA. Surprisingly only 5.8 % know whom to contact in COPRA office for any kind of assistance.

Table 2: Awareness on COPRA

Question	Yes (N%)	No (N%)
Are you aware of COPRA?	65 (54.2%)	66 (45.8%)
Do you know the address of COPRA office in your locality?	9 (7.5%)	111 (92.5%)
Do you know when you are booked for any offence whom to contact in COPRA office?	7 (5.8%)	113 (94.2%)
Do you know the legal procedure to tackle COPRA?	8 (6.7%)	112 (93.3%)
Can you practice during the time when you are tried for COPRA?	10 (8.3%)	110 (91.7%)

Table 2 demonstrates the awareness on consent taking. Only 22,55 doctors aware that the main purpose of taking consent from is to protect both the patients and the

doctor. Among the participants only 54.2% thinks that treatment option briefing prior to treatment initiation is to protect the doctors.

Table 3: Awareness on consent taking

Question	Protect doctor	Protect patient	Protect both
Consent form purpose is to protect	78 (65%)	15 (12.5%)	27 (22.5%)
Treatment option briefing before treatment initiation	65 (54.2%)	22 (18.3%)	33 (27.5%)
Informant consent is necessary from each patient. Do you follow that?	45 (37.5%)	75 (62.5%)	-
Are you explaining side effect or harmful effects of the treatment in details?	56 (46.7%)	64 (53.3%)	-
Without parent's consent could children be treated?	29 (24.2%)	91 (75.8%)	-
Are you aware about Negligence and Non negligence acts?	62 (51.7%)	58 (48.3%)	-

Table 4 demonstrate the medico legal awareness among the participants. 15% of participants were aware of

professional indemnity claims. Only 6.7% has taken an insurance claim to protect themselves.

Table 4: Awareness of health professionals on medico legal programmes

Question	Yes (N%)	No (N%)
Are you aware of professional indemnity claims	18(15%)	102
To protect yourself against claims have you taken any insurance coverage?	8 (6.7%)	112 (93.3%)
In your curriculum you have exposed to medico legal issues	82 (43.3%)	38 (31.7%)

43.3% of the participants were exposed to medico legal issues during their curriculum,

DISCUSSION

Among health care professionals to investigate the awareness of medico legal issues this survey was initiated. This article was written to highlight the need of healthcare professional to handle medico legal issues. As indicated in few previous study there almost 90% of the practicing doctor or medical student know the informed consent while in our study 80% of participants were aware of informed consent [5-7]. Taking informed consent before initiation any treatment is can routine job in western countries which helps healthcare professional to deals with any future medico legal process where as still awareness regarding the informed consent was significantly low in our country.

In a study conducted by Singh et al [9] in Udaipur where 49.6% of dental professionals and 50.4% medical professionals were not aware about Consumer Protection Act, while in our study only 54.2% of participants were aware of Consumer Protection Act. In another study conducted by Prasad et.al in Ghaziabad reveals that among dental health care professional only 16.2% were aware of Consumer Protection Act [8]. Only 22,55 doctors aware that the main purpose of taking consent from is to protect both the patients and the doctor. Among the participants only 54.2% thinks that treatment option briefing prior to treatment initiation is to protect the doctors.

As COVID 19 has become a pandemic and different kind of speculations are arising among patients, thus a proper understanding of medico legal issues and the knowledge to handle them were in basic need among health care professional.

CONCLUSION

The participants were lacking of knowledge regarding medico-legal courses, professional indemnity claim and consumer protection act while they have little bit of fare knowledge for medical ethics and informed consent. To be on legally safer side, understanding of these issues and update is an immediate need.

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