

RANZCP 2011 - ABSTRACT

Paper title:

GOOD CLINICAL PRACTICE TO MINIMISE COLLATERAL DAMAGE

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Abstract: The practice of psychiatry is governed not only by clinical needs but it is also influenced by medico-legal imperatives. Psychiatrists are increasingly exposed to patients who are unhappy with their medical care. Complaints arising from dissatisfaction from a clinical encounter may come directly to the psychiatrist or via a third party (lawyer, Health Services Commissioner or Medical Board). The common theme in such complaints is inadequate communication with patients or carers. This may involve communicating about suicide risk, prescribing medications or writing reports that involve a breach of confidentiality.

With the assistance of your medical defense organisation (MDO) and the relevant regulatory bodies, written adequate explanations could result in early resolution of the complaint. However, when an adverse event occurs, a claim for compensation because of negligent care is likely to arise. The process for contacting your MDO will be outlined. The implications of legislation related to release of information will also be discussed.

The session will use illustrative cases and claims analysis to present the common clinical basis of claims. Participants will be invited to discuss how this knowledge will enable them to practice in a relatively safe and effective manner.

Sound clinical practice that incorporates practical risk management strategies such as good record keeping and appropriate communication will assist practitioners to identify and minimise risk and continue to enjoy their work in psychiatry.