

Are Dental Practitioners Aware About The Medicolegal Issues ?

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Abstract: Background: In this 21st century, there has been a tremendous change in the relationship of a doctor and patient, insisting the doctors to be more aware about the medicolegal issues. Aim and Objectives: To assess the knowledge and awareness about the medico-legal issues among the private practicing dentists in Ahmedabad city, Gujarat. Materials and methods: A cross sectional study was conducted among 140 private practicing dentists. The Data was collected and analysed on the basis 20 question questionnaire surveys to assess their knowledge on the situation faced during a medico-legal issue. Results: Out of 140 private dental practitioners, 97.1% maintain dental records and 75.7% believes in taking consent for all the treatments. However, 83.6% do not know how to tackle a medical-legal issue neither aware about COPRA and thus 97% feels that medicolegal knowledge should be added in a curriculum at a graduation level Conclusion: The study mainly reflects the urgent need to spread knowledge and awareness regarding how to tackle a medicolegal issues under COPRA to be on a legally safer side , either through seminars, conferences, programs, newspaper and other sources [Patel D Natl J Integr Res Med, 2019; 10(3):29-33]

Key Words: : Consumer Protection Act, Medical Negligence's, Medico-legal issues

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Introduction: Introduction:Medico-legal issues are of a concern nowadays. It has become necessary for doctors to have sufficient knowledge regarding the legal issues, as the patients and the general public nowadays are more aware about their consumer rights. The easily access to internet and media by all has resulted it their rights. These days the medical care has been covered under the purview of consumer protection act, and thus the responsibility of a dentist/doctor has increased leap and bound, making it necessary to have medico legal knowledge.¹⁻²

The most essential document which can help in any medico-legal case is the dental record, as it consist patient's data, history of illness, complaint, treatment planning and even the consent form. According to the law, a dentist is supposed to maintain the record for a minimum period of 3 years from the date of commencement of treatment.³

Professional negligence is defined as absence of reasonable care and skill, or wilful negligence by doctor during treatment of patient which may lead to physical injury or death of patient. In today's scenario litigations and charges regarding negligence are increasing day by day against both government and private doctors⁴⁻⁵

Due to lack of proper medico-legal knowledge, doctors are exposed badly in the law of court and

under the COPA. Hence sufficient knowledge is must irrespective of doctor working in private clinics or government hospitals.^{2,6-7}

Thus, in order to assess the awareness and knowledge regarding the applicability in resolving medico-legal issues, we have conducted a survey among private dental practitioners in Ahmedabad city.

Materials and Method: A cross-sectional study was conducted among 140 private practicing dentists of Ahmedabad city, Gujarat. The purpose and the nature of the survey were explained and the consent was obtained for the same. A precise and relevant questionnaire¹ consisting 20 questions was modified and made related to the awareness about the medico-legal issues and circulated in digital link format. The questionnaire was not pre-validated .The questionnaire is as below.

Results: Out of 140 dentist's private practitioners on whom the survey was conducted, there were 85 males and 65 females. They were even distributed according to their designation.(Table 1) the data and result are irrespective to the gender and designation as all the participants are private practitioner and the data is assessed for the awareness and knowledge pertaining to medico legal issues

Table 1 : Distribution of Participation according to Gender and Designation

Sr. no	Gender	No. (n=140)	%
1	Male	80	53.3%
2	Female	60	40%
Designation			
1	B.D.S	90	60%
2	M.D.S	50	33.3%

On Studying and Analysing the knowledge and awareness regarding the record maintenance,

about 90.7% private practitioners maintain proper detailed dental record, while 97.1% are aware about maintaining data can prevent them from medico legal issues. Though only 27.9% are aware about the exact time till the dental records should be maintained. Moreover, only 16.4% dentist prefer computerized storage method and 32.9% still prefer hand written method, whereas 47.1% dentist prefers both the formats of preservation knowing the value for the same. (Table 2)

Table 2 : Knowledge and awareness regarding dental record maintenance

Sr.no	Questions	Options	Answers
1.	For how long should the dental records of the patient's is to be maintained ?	6months 1-3 years 4-6 years 7-10 years More than 10 years Till date don't know	5% 27.9% 6.4% 15% 8.6% 27.9% 9.3%
2.	Will maintaining data help in medico legal issues ?	Yes No	97.1% 2.9%
3.	Do you maintain patient's record ?	Yes No	90.7% 9.3%
4.	In which form do you maintain the records of the patients ?	Computerized/Electric form Hand written Both Don't know	16.4% 32.9% 47.1% 3.6%

Although 75.7% private practitioners believed in taking consent only about 47.9% do it on the

regular basis. Moreover, about 40% of them had a wrong idea about informed consent which can prevent them from a medico-legal issue.(Table 3)

Table 3 : Knowledge regarding the importance of consent

Sr.no	Questions	Options	Answers
1.	Do you take consent of the patient before treating them ?	Yes No Only In some treatments	47.9% 41.4% 10.7%
2.	Do you believe that a consent form is necessary for every treatment at your clinic ?	Yes No May be Only In some treatments	75.7% 2.9% 5.7% 15.7%
3.	Are you aware that a copy of consent is to be given to the patient if asked for ?	Yes No	71.4% 28.6%
4.	Which type of consent do you prefer in your dental clinic ?	Informed consent Written consent Don't know	30% 67.9% 2.1%
5.	Can informed consent protect doctors from medico legal suite ?	Yes No Don't know	40% 37.1% 22.9%

In the context with medical negligence and medico legal issues, 59.3% have heard about medico-legal notice received by dental practitioner and 66.4% felt that lack of knowledge is the responsible for such situation, though 40.7% of them are not sure how will they

react to a notice if ever received by them. However, 97.1% agreed that knowledge and awareness regarding the medico legal issues should be known, but 80% of them don't know where such courses are done neither have they attended any such programs. (Table 4)

Table 4 : Knowledge and awareness regarding medical negligence's

Sr. no	Questions	Options	Answers
1.	Have you ever heard about any dental practitioner receiving a medico legal notice for an iatrogenic error in a treatment ?	Yes No	59.3% 40.7%
3.	How will you react on receiving a legal notice for the error/negligence in the treatment ?	Convince the patient Take a legal action Compensation for the same Don't know	27.1% 22.9% 9.35% 40.7%
4.	Why malpractice/negligence does occur ?	Lack of knowledge Competition Lack of proper dental setup Don't know	66.4% 15% 9.3% 9.3%
5.	Can evidence based treatment prevent you from medico legal actions ?	Yes No Maybe	65% 33.6% 1.4%
6.	Should UG teaching include medico legal responsibilities ?	Yes No	97.1% 2.9%
7.	Are you aware of any course regarding medico legal issues in India ?	Yes No	20% 80%
8.	Have you ever attended any CDE program regarding medico legal issues ?	Yes No	25% 75%

In case of any legal notice under COPRA (consumer protection act) around 83.6% private practitioners do not know how to tackle the situation, neither does have any knowledge

regarding whom to contact for such cases. However, 66.4% are aware about the consumer protection act, but 81.4% have not insured themselves against such medico legal issues. (Table 5)

Table 5 : Awareness towards the Consumer Protection Act (CPA)

Sr. no	Questions	Options	Answers
1.	Do you know the procedure to tackle legal notice under COPRA/Medico legal issues ?	Yes no	16.4% 83.6%
2.	Do you know whom to contact in case you are booked under COPRA/Medico legal issue ?	Yes No	18.6% 81.4%
3.	Are you aware about Consumer Protection Act ?	Yes No	66.4% 33.6%
4.	Have you taken any insurance coverage to protect yourself against such claims ?	Yes No Not aware Don't feel necessary	18.6% 58.6% 17.1% 5.7%

Discussion: It has become a duty and obligation of a practicing dentist to maintain and preserve the dental records termed as the only legal document for the social and professional justice⁸. In our study majority of the dentist, are aware about the preservation and maintenance of dental records same as the study conducted by Christi et al,2017⁹ and Nagarajappab et al,2014¹⁰ whereas in studies done by Preeti S, 2011¹¹ and Madhusudan Astekar, 2011¹² showed only few dentist maintained the records.

The study also resulted in 47.9% private practitioner takes consent on regular basis. Though about 3/4 ratio are aware about its importance, similar to study performed by S Senthilkumar et al , 2013¹³ and Kotrahetti et al,2010¹⁴ in which 81.9% were aware about the informed consent, while in O.C.Osime et al,2004¹⁵ 74.6% were aware about the consents.

The study showed that about 66.4% are not aware about the consumer protection act and about 83.6% are not aware how to tackle a medico legal case, which is similar to a study conducted by S Senthilkumar et al,2013¹³ and Milind T W,2011¹⁶. However 97.1% do agree to inculcate the knowledge in UG, but about 80% are not aware about any such programs/courses being conducted. It is similar to the study shown in S Senthilkumar et al,2013¹³ and Scot P.Saltstone,1997¹⁷

After finding the view points of the study and the similar studies, we suggest to give little weight age to the medico legal knowledge as it will help to avoid complications in future practice.^{1,18-20} Certain changes in curriculum of UG plus other CDE programs should be organised frequently. If these things are neglected than it may not only cause professional problems but also does injustice to innocent people.¹⁸⁻²⁰

The tertiary outcome of the present study mainly proves the extended need of the knowledge and awareness regarding the medico-legal cases through webinars, pamphlets, and brochures or even including in the curriculum at the graduation level.

Conclusion:The data analysed revealed that the results drastically showed a downfall in the knowledge and awareness regarding the medical negligence and Consumer Protection Act. Thus, attending the seminars, conferences or addition

of medico-legal issues in the undergraduate syllabus can enhance the knowledge further.

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