

Awareness of Medical Ethics and Medico-Legal Issues amongst Medical Professionals

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ABSTRACT

Background: Over the years, medical professionals who once enjoyed the immunity from litigations and accountability in the court of law have found themselves in the crosshairs of the judicial system. The doctors have become service providers and their patients consumers. Medical Council of India, the statutory body governing the medical profession in India, has laid down certain guidelines for the medical professionals to follow. This study endeavored to assess the level of awareness of various ethical and legal issues and code of conduct amongst medical professionals (including general practitioners to various specialists) **Material and Method:** The study was conducted in the geographical region of Indore city for a period of one month from 1 Nov 2009- 30 Nov 2009. A total of 75 physicians, including general practitioners, specialists of various specialties practicing in Indore were selected using Radiant Medical Directory and were given a standardized questionnaire to answer. **Results:** 52.91% subjects answered correctly in the range of 65-80%, whereas 33.82% answered 45-60% answers correctly. A need was felt to enhance the awareness of finer aspects of medicolegal issues.

Key Words: Ethics; Medical Council of India; Code of Conduct; Medico-legal.

*"Life is short and the Art long; the occasion
fleeting; experience fallacious, and judgment
difficult."*

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INTRODUCTION

Medicine is one of the most respected and revered professions the world over. Doctors are regarded as saviors who deliver the people from their afflictions. However, to prevent those who practice this profession from faltering in delivering their duties, code of medical ethics, etiquette and professional conduct were formulated as guidelines.

Egypt, Babylon, India and China had some of the oldest civilizations in the world, and evidence of existence of laws in relation to medicine during those times has been found. Medico-legal code practiced around 2200 BC, during the rule of the King of Babylon is the oldest known code of medico-legal conduct[1]. Hippocrates (460-377 B.C.) is the father of modern medicine. His guidelines known as the 'Hippocrates oath' have been, by far, the most revered and practiced principles of medical ethics the world over[2, 8].

In the present day, the *Geneva declaration* formulated by the World Health Association is a rephrased version of the Hippocrates oath practiced the world over [2, 8]. Under the provisions of the Act (No. MCI-211 (2) 2001-Regn) read with section 33 (m) of the Indian Medical Council Act 1956 (102 of 1956), the Medical Council of India, with the previous approval of the Central Govt. has made detailed regulations relating to the professional conduct, etiquette and ethics for registered medical practitioners and these have been published in the Gazette of India dated 06 April, 2002 (part III - Section 4) and are in force from the said date[9].

As per the Medical Council of India amendment act no.24 of 1964, the Council has specified a warning notice that violation of this code shall constitute "infamous conduct in a professional sense; i.e. it will be Professional Misconduct[9].

With the development of medical science, newer modalities of treatment are being invented everyday and with them newer medico-legal issues are cropping up. Growing commercialization in the society has also pervaded this noble profession, and a few doctors have resorted to unethical practices for financial gains. Use of touts, advertisements to lure patients, commissions for referrals and investigations, irrational prescriptions, prenatal sex determination, illegal organ transplants and growing instances of medical malpractice are just some of the glaring examples of the degradation of moral values and ethics in this once revered profession [10, 14]. Medical ethical problems that once were no more than entertaining speculations about the future are now a reality and medical ethics can no longer be regarded as a mere formality in the medical education [2, 8].

Control of medical profession by the legislative actions of the government through various legal provisions like MTP act, PNDT, CPA were enacted to curb the growing malpractice in medical profession.

Numerous verdicts of the courts on cases between doctors and patients have frequently

been in favor of the patients which have proved the guilt of the faltering physicians [15, 17]. Reacting to these, the physicians have raised their concerns and have cautioned about the fear of prosecution which would compel the medical fraternity to attend the patients and do research with a guarded approach[18].

This project is a sincere effort to highlight the awareness of the various principles of medical ethics and codes of conduct amongst the medical professionals and to assess their approach in dealing with various issues confronting them and to invite opinion and suggestions from them.

MATERIALS AND METHODS

The study was conducted in the geographical region of Indore city for a period of one month from 01 Nov 2009- 30 Nov 2009. A total of 75 physicians holding MCI recognized qualification, practicing allopathic medicine, including general practitioners, specialists of various specialties such as General Medicine, General Surgery, Pediatrics, Obstetrics & Gynecology, Dermatology, Ophthalmology, Otolaryngology practicing in the mini metropolitan town of Indore were approached to participate in the study. The names of the doctors were randomly selected from the 'Radiant Medical Directory'[19]. Of the selected doctors, 68 consented to participate and were given a standardized questionnaire of 20 multiple choice questions based on ethical and medico-legal issues a doctor would encounter in day- to-day practice. They were asked to choose the most appropriate answer. Percentage of correct response was calculated and the results were tabulated.

RESULTS

Of the 75 medical professionals 68 consented to participate in the study. Of the 68 medical professionals, 21 were general practitioners, 15 were medical specialists including six super

specialists, 14 were surgeons including five super-specialists, six pediatricians, five Obstetric and Gynecology specialists, three Ophthalmologists, two ENT specialists and two Dermatologists. (Table 1)

Of the 68 doctors who participated in the study, the majority of them- 49- (72 %) were in the age group of 35 to 45 yrs, 14 (20.5 %) were in the age group of 45- 55 years and 05 (7.3 %) were in the age group of 25 -35 years.(Table 2)

To tabulate the results easily, the respondents were divided into five groups based on the number of correct responses. Group A contained those whose response included 17-20 correct answers, Group B contained those whose response included 13-16 correct answers, Group C contained those whose response included 9-12 correct answers, Group

D contained those whose response included 5-8 correct answers and Group E contained those whose response included 1-4 correct answers.

Majority of the respondents 36(52.91%), based on the number of correct responses were placed in Group 'B', followed by 23 (33.82 %) in Group C, 06 (8.82%) in Group D and 02 (2.9%) in Group A. one (1.4 %) did not complete the questionnaire due to busy schedule. (Table 3)

DISCUSSION

Majority of doctors had knowledge of the basic concepts of medical ethics and medico-legal issues; however, they lacked the knowledge of finer details of the subject.

Table 1. Doctors of various specialties participating in the study

S. No.	Specialty	Number
1	General Practitioner	21
2.	Medical specialist	15
3.	Surgeon	14
4.	Pediatrician	06
5.	OBGY	05
6.	Ophthalmologist	03
7.	ENT specialist	02
8.	Dermatologist	02
Total		68

Table 2. Age group of doctors participating in the study

S No.	Age group (yrs)	Number
1	25-35 yrs	05
2	35-45 yrs	49
3	45-50 yrs	14

Majority of them faltered in answering the following questions related to the following aspects:

1. Maintenance of Medical Records.
2. Difference between Infringement of Law and Code of Conduct.
3. Conduct of Drug Trials.

One hundred percent of respondents faltered in correctly answering questions from related to above topics. These topics as evident deal with the finer facts and details of the medical ethics and medico-legal issues.

As evident majority of the respondents 36(52.91 %) based on the number of correct responses, were placed in Group B, followed by 23 (33.82 %) in Group C, 06 (8.82%) in group

D and 02 (2.9%) in group A. one (1.4 %) did not complete the questionnaire. The findings of the study are similar to the findings observed by Mohite *et al*[20].

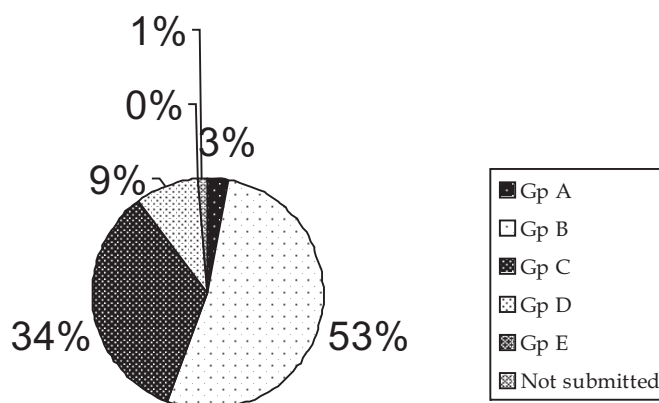
The respondents were also asked to give their opinion about the reasons for lack of awareness amongst the medical community about the ethical and legal issues in medical practice. Lack of regular CMEs on medical ethics and medico-legal issues, over-confidence, less significance to medical jurisprudence during undergraduate curricula, near zero exposure to these issues during post graduation were some of the commonly cited reasons. The participating medical personnel acknowledged this as a need of the hour and felt that concrete steps were needed to upgrade their knowledge to keep themselves from faltering.

Table 3. Grouping of participants as per the number of correct responses

S.No.	Group	No. of respondents	Percentage %
1	A (17-20 ans/85-100% correct)	02	02.9%
2	B (13-16 ans / 65-80% correct)	36	52.91%
3	C (9-12 ans/ 45-60% correct)	23	33.82%
4	D (5-8 ans/ 25-40% correct)	06	8.82%
5	E (1-4 ans/5-20% correct)	00	00%
6	Not submitted*	01	1.4%

*Questionnaire was not completed, hence not submitted to the investigator.

Grouping of participants as per no. of correct responses



Another fact which emerged from the study was that the rising instance of doctors being taken to court for medical negligence, despite being sincere in their efforts, is forcing the doctors to take a guarded approach in patient treatment. A fallout of the same is the rising cost of medical treatment, as instead of relying just on their clinical acumen, the attending doctors are forced to get all the investigations of the patient done to protect themselves from future litigation.

CONCLUSION AND RECOMMENDATIONS

This study was a sincere effort to assess the knowledge of medical professionals about medical ethics and medico-legal issues. The participating medical personnel were knowledgeable about the basic issues but lacked knowledge about the finer facts.

Thought the investigator broadly covered all the specialties the sample size was small. Subsequent studies using larger sample and bigger questionnaire would give better perspective of awareness of the issues under consideration. However, one of the recommendations which could be made from the present study is increased participation of local bodies and medical associations in holding seminars, CMEs for the doctors to increase awareness of newer ethical and medico-legal issues in medical practice.

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