
PUBLIC HEALTH RESEARCH

Medico Legal Awareness:Where are we? – A Survey among Health Professionals in Maharashtra and Haryana

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ABSTRACT

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Introduction	Medicine is a noble profession but there is also growing anxiety both within the medical profession and in the community regarding increasing trends of complaints and lawsuits against doctors. Knowledge about medical ethics is as fundamental to the practice of medicine as clinical skills. To assess the knowledge of health care professionals regarding medico-legal issues.
Methods	The questionnaire study consisted of questions pertaining to basic knowledge of COPRA (Consumer Protection Act 1984), informed consent and Medico-legal courses. A total of 325 health care professionals enrolled for the study.
Results	Most of the health care professionals were able to answer questions about informed consent. Almost 80% of health professionals were aware about informed consent, 41.84% of health professionals were not aware about consumer protection act 92% of health professionals don't know about the courses regarding Medico-legal issues.
Conclusions	The participants were knowledgeable about medical ethics and informed consent but when it came to Consumer Protection act, professional indemnity claim and medico- legal courses their information was basic, they lacked knowledge about finer details hence showed an immediate need to update the understanding of these issues to be on legally safer side.
Keywords	Medico-legal cases - Informed consent - Health care Professionals - Medical Ethics.

INTRODUCTION

Dentistry and medicine today are noble professions but there is a level of increased anxiety both within the medical professional and the patients at large⁵. Knowledge of dentistry and medicine is as much important as knowing law governing their practice. Law and Medicine go hand in hand. The recent trend towards codifying the individual rights and freedom has filtered down to the relationship between physicians and patients. With the increasing use of technology, paradigm shifts in patient's attitude towards the doctor has resulted in making the law an inseparable entity of health care today. Knowledge about medical ethics is as fundamental to the practice of medicine as clinical skills³. If we look at dental and medical curriculum in India, there is more emphasis on technical aspects and development of technical skills, but it lacks in ethical aspect.

The recent increasing trend in litigation against doctors is an issue of paramount concern. The reasons for these are media (electronic and print), professional accountability and decision making. The negativity spread through the media has done further damage to the once considered white collar profession.

The COPRA (Consumer Protection Act) 1984 provides for effectively safeguarding consumers against exploitations and unfair dealings. This act follows compensatory rather than a punitive approach. It provides for speedy and inexpensive mode of case disposal. The act has established District, State and National consumers court to hear the cases filed by the court⁵. With the consumer protection act in place the patient doctor relationship is strained of late. This is because from early times, medical treatments are considered as service rather than commodity in India. The changing doctor patient relationship and commercialization of modern medical practice has affected many dental and medical professionals².

However, today's scenario is lot different. There is paradigm shift where dental treatment is as compared with any other services. Also as there is commercialization of modern medical and dental practice, it has affected the health professionals.

Today, the fundamental principles of medicine insist that doctor should be aware about various medico-legal issues, understand the nature of these obligations and fulfill these obligations to best of his ability. Hence this study was designed to assess the awareness of medicolegal issues among health professionals in medical, dental and physiotherapy colleges in Loni (Maharashtra) and Panchkula (Haryana).

Why This Survey?

As all the law books say ignorance of the law is no excuse, it is the duty of every individual to know the law of the land where he resides. Today

practicing dentistry and medicine is rather hazardous and risky. Mutual faith is replaced with mutual suspicion. Gone are the days when we medical and dental health professions were considered second to God. In this era of globalization, we doctors are left to be called as mere service providers. This survey was undertaken to assess the awareness of medico-legal issues among health professionals in medical, dental and physiotherapy colleges in Loni (Maharashtra) and Panchkula (Haryana).

Aim:

To evaluate the knowledge and awareness on medico legal issues among medical, dental, and physiotherapy professionals of Pravara Institute of Medical Sciences (DU) and B.R.S. Dental College, Panchkula.

Objectives:

- 1) To assess the awareness on COPRA.
- 2) To assess the knowledge and practices about consent taking.
- 3) To assess the awareness of health professionals on medico legal programs and course.
- 4) To evaluate knowledge and awareness.

METHODS

Pilot Study

Pilot study was conducted among medical and dental health professionals in the Institutes to check the feasibility of the study and to pretest the questionnaire for validity and reliability.

Study Design

The present survey used semi structured, pretested, self-administered questionnaire was distributed among undergraduate dental students and interns and postgraduates and faculty of Rural Dental College, Loni, India and B.R.S Dental College, Panchkula, India. A pilot study was conducted to check the feasibility and reliability of the questionnaire. A total of 325 dental clinical students consisting of final year students and interns postgraduates and faculty of were included in the study. They filled out the questions during college hours. All answers were kept confidential, and no individual students were identified. The students were not allowed to re-participate in the survey once completed.

Ethical Clearance

Ethical Clearance was obtained from institutional review board Pravara Institute of Medical Sciences (PIMS) Ethical committee.

Sample

Sample size was 325. PIMS (DU) & B.R.S. Dental College were included in the study. All health

professionals under PIMS (DU) & B.R.S. Dental College were invited to participate (Random sampling). Out of 350 invited participants only 325 doctors agreed to participate in this study. So the percentage of participation was 92.85 %.

Data Collection

The study was conducted in June-July 2014 and closed ended questionnaire which consisted of 23 questions was assessing the awareness of health professionals in PIMS (DU) & B.R.S. Dental College. The doctors were approached & the purpose of this study was explained to them & informed consent was obtained. The forms were distributed and they were assured of confidentiality. The completed questionnaire was collected on the same day.

Statistical Analysis

The resulting data was statistically analyzed using SPSS (Statistical Packages for Social Sciences) Version 18.0 software. Percentages of the responses were calculated.

RESULTS

Out of 325 total participants in this survey study, 189 (58.15 %) were from dental faculty of Rural Dental College, Loni and B.R.S Dental College, Panchkula, 113 were from medical faculty of Rural Medical College, Loni and B.R.S Dental College and Hospital, Panchkula and 23 participants were from College of Physiotherapy, Loni. The distribution of the study participants according to their designation is shown in Table 1.

Table 1 Distribution of participants according to their designation

Sr.No.	Designation	Dentists	Medical	Physiotherapists
1.	Intern	53	40	0
2.	Post Graduate Student	82	62	10
3.	Senior Lecturer	29	0	8
4.	Reader	13	0	0
5.	Professor	12	11	5
	Total	189	113	23

Awareness on COPRA

Table 2 shows the results on awareness on COPRA. Our results show that 41.84 % of dental, medical and physiotherapy health professionals agreed that they didn't know about the Consumer Protection Act (COPRA); while 88 % weren't aware about the location of COPRA office in their respective districts. Also, it was striking to know

that 89.23 % of the total 325 participants did not know whom to contact in case they are booked under COPRA for any offence and the legal procedure that follows. 7.08 % of them said that they could still practice during the time when they are under the court procedures i.e booked for offence under COPRA.

Table 2 Awareness on COPRA

Sr.No.	Question	Yes	No
1.	Do you know what COPRA means?	189 (58.15%)	136 (41.84%)
2.	Do you know where COPRA office is located in Ahmednagar / Panchkula?	39 (12%)	286 (88%)
3.	Do you know whom to contact in COPRA office when you are booked for any offence?	35 (10.77%)	290 (89.23%)
4.	Do you know the legal procedure to tackle COPRA?	35 (10.77%)	290 (89.23%)
5.	Can you practice during the time when you are tried for COPRA?	23 (7.08%)	302 (92.92%)

Awareness on consent taking

Table 3 shows that results on awareness on consent taking. Results revealed that 76.62 % of doctors understand that the main purpose of consent form is to protect both doctor as well as the patient. A mammoth 80.31 % health professional explain to their patients about all the treatment modalities

available. While on 69.53 % doctors, dentists and physiotherapists agreed about taking informed consent from every patient coming to the OPD. Almost 75 % of the participants said that they convey about any complications associated with anesthesia to the patients. 83.69 % of doctors do give the success and failure rates to their patients

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for the treatment they are going to provide. Only about 55 % of health professionals that participated in our study explain to their patients about harmful effects of excessive radiation. Also, in case of pediatric patient, 76.31 % doctors believed that they should not be treated without their parents' consent. 89.07 % of the health professionals agreed that they took consent for the treatment, pathological tests and medications they prescribed

to the patient. 32 % of the participants were unaware that a copy of informed consent form should be given to the patient when asked for. Awareness of negligence and non-negligence acts was only 50 %. To be true to themselves, only 71.38 % doctors take time to explain about the matter printed on the informed consent form. While only 67.38 % of the professionals knew how to write and informed consent form.

Table 3 Awareness on consent taking

Sr.No	Question	Protect doctor		Protect patient		Both
1.	The main purpose of consent form is to....	57	17.54%	19	5.84%	249 76.62%
		Yes		No		
2.	Before starting the treatment do you inform the patient about all the treatment options available?	261	80.31%	64	19.69%	
3.	Do you take inform consent from every patient?	226	69.53%	99	30.4%	
4.	Do you explain about any complications associated with anesthesia?	241	74.15%	84	25.85%	
5.	Do you give the success and failure rate of a treatment you provide?	272	83.69%	53	16.31%	
6.	Do you explain about harmful effects of Radiography?	178	54.77%	147	45.23%	
7.	Should children be treated without parent's consent?	77	23.69%	248	76.31%	
8.	Do you take consent for the treatment you are going to provide or for the pathological tests and medication you prescribe?	192	59.07%	133	40.93%	
9.	Are you aware that a copy of the informed consent form should be given to the patient when asked for?	221	96.8%	104	32%	
10.	Are you aware about Negligence and Non negligence acts?	163	50.16%	162	49.84%	
11.	Do you take time to explain the matter of inform consent to the patients?	232	71.38%	93	28.62%	
12.	Do you know how to write inform consent form?	219	67.38%	106	32.63%	

Awareness of health professionals on medico legal programmes/courses

Table 4 shows the results on awareness of health professionals on medico legal programmes/courses. About 84 % of the study participants did not know about professional indemnity claim. Only 13.54 % of the health care professionals have taken insurance coverage to protect them against any claim. 77.84 % of the doctors said that they have been exposed to medico legal issues in their

curriculum. A mammoth 90.46 % of the subjects believed that medico legal issues should be taught in the undergraduate medical sciences course. Only 14.15 % of the participants have attended any CME /CDE programs concerning medico legal issues ever. Just 8 % of the doctors are aware regarding medico legal courses in India.

Table 4 Awareness of health professionals on medico legal programmes/courses

Sr.No.	Questions	Yes	No
1.	Do you know what professional indemnity claims is?	52 16%	273 84%
2.	Have you taken any insurance coverage to protect yourself against claims?	44 13.54%	281 86.46%
3.	Have you been exposed to medico legal issues in your curriculum?	253 77.84%	72 22.16%
4.	Should medico-legal issues be taught in undergraduate medical science courses?	294 90.46%	31 9.54%
5.	Have you attended any CME/CDE program regarding medico-legal issues ever?	46 14.15%	279 85.85%
6.	Do you know any courses regarding medico-legal issues in India?	26 8%	299 92%

DISCUSSION

This survey was an effort to investigate the awareness of medico legal issues among health care professionals in dental, medical and physiotherapy colleges in Loni and Panchkula. The outcome of this study provides a valuable and encouraging insight into awareness of medico legal issues. It also stresses about the need to improve their knowledge, awareness and practices regarding medico legal issues. In the present study almost 80% of health professionals were aware about informed consent which similar to study conducted by Dr. Rai in Vadodara where almost 90% of the respondents were aware of informed consent¹. This is also similar to study conducted by O.C.Osmie et al in Berlin where 74.6% of health professionals had awareness about informed consent⁴. There is also similarity to study conducted by Dr. Senthilkumar et.al in Tamilnadu where 87.4% of medical college health professionals were aware of informed consent; whereas 76.1% of dental college health professionals were aware about informed consent⁷.

In the present study 41.84% of health professionals were not aware about consumer protection act which is similar to study conducted by Singh et al in Udaipur where 50.4% medical professionals and 49.6% of dental professionals were not aware about Consumer Protection Act³. There is also a similarity to study conducted by Prasad et.al in Ghaziabad where only 16.2% of dental professionals were not aware about Consumer Protection Act⁸. In the present study 92% of health professionals do not know about the courses regarding medico legal issues and 77.8% had been exposed to medico legal issues in their curriculum. This is similar to study conducted by Dr. Senthilkumar et.al in Tamilnadu where 85.7% of medical college health professionals and 92.4% of dental college health professionals were not aware of medico-legal programmes/courses⁷ which is comparatively low to a study conducted by Scot

P. Saltstone in Ontario in which 48.9% were aware about courses regarding medical law and 71.1% had received some medico-legal education⁸.

This study showed that dental and physiotherapy college health professionals had less awareness about ethics which is similar to study conducted by Clea Adas Saliba Garbin et al. in Aracatuba where 48.57% dental health professionals were aware about ethics and bioethics.

In this survey we have treated dental, medical and physiotherapy health professionals at par and therefore, not segregated the results individually as our intention was not to expose the lack in knowledge and awareness of medico legal issues but rather to make them a bit more aware what they actually know.

CONCLUSIONS

The study was a genuine endeavor to assess the knowledge of medical, dental and physiotherapy health professionals about COPRA, informed consent and medico legal issues. The participants were knowledgeable about medical ethics and informed consent but when it came to Consumer Protection Act, professional indemnity claim and medico legal courses their information was basic, they lacked knowledge about finer details hence showed an immediate need to update the understanding of these issues to be on legally safer side. Local bodies and medical associations should increase their participation in holding seminars, CME's for the students to increase awareness of medico legal issues in medical practice.

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