

# **Emerging Infectious Diseases of the 21<sup>st</sup> Century**

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I.W. Fong

# Medico-Legal Issues in Infectious Diseases

Guide For Physicians

 Springer

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*This book is dedicated to my children  
Michelle (Reyes) and Michael.*



# Preface

The current state of medical malpractice is of serious concern to physicians, medical organizations, and to many governments of developed nations. Many developed countries (including Canada and the United States) have seen a great increase in medical malpractice claims and a dramatic rise in premium rates over the past decade. Physicians face many challenges besides obtaining appropriate liability protection and practicing good cost-effective medicine, without the spectre of malpractice lawsuit. Unfortunately, although all practicing physicians and healthcare providers are vulnerable to medico-legal liabilities, this is a neglected and overlooked area in the education of medical student, residents and fellows, who will face the harsh realities of medical practice largely unprepared.

Physicians in developed nations have to a great degree, lost the respect and confidence of the citizens in their countries, and litigations for perceived wrong or harm occurs to a liberal degree for trivial or serious injuries. Besides seeking legal defense from their respective legal representatives, there are little or no guidelines or source of information in the medical body of literature. With this in mind, this volume is being written to help provide some guide to physicians dealing with a variety of various infections to avoid pitfalls in diagnosis and management that often predispose to litigations.

The author has many years of experience as a consultant to both lawyers for the defense and the plaintiff, with an average of 8–10 cases per year for the past 20 years. The text will give case scenarios in the format of problem-solving challenges that are faced by physicians in various practices and subspecialties such as family physicians, internists, emergency physicians and various surgical disciplines. The aim of this book is not to encourage defensive medical practice, but to help provide better, optimum care to patients and to be forthright and honest to our dear customers about our inevitable mistakes.

There are many books on jurisprudence and medicine, which deals with the law of the land (country, province, or state) and medicine, which are geared for the legal professions and students of law. A few books have provided some legal guidelines for physicians on general issues. This book will focus on clinical issues facing physicians in different settings (which can lead to malpractice), and the best approach to use to avoid litigations, and practice good medicine.





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