

SUPERVISOR WORKSHEET

Medicolegal Issues

General Practice is about good practice with the aim of achieving the best patient outcomes. It also helps avoid litigation. Mistakes do happen and patients do sue (sometimes) whether a mistake is made or not. Whether you have done the right thing or the wrong thing you will receive the same high level of non-judgmental support.

The focus of this teaching module is how good clinical practice supported by good systems will minimize the risk of being sued.

Good medico-legal risk management is not about knowing the detail of the law; rather it is about reasonable practice based on sound principles.

The associated out-of-practice teaching is on the attached page.

This module involves

- Identification by the Registrar of three clinical encounters that have presented different types of risk of serious misdiagnosis or adverse outcome. The Registrar and Supervisor should agree on these three encounters before further work is done.

You may wish to refer to the list of clinical areas with an increased risk of adverse outcomes from the [RACGP](#) [standard T17].

Another way of flagging such potential encounters, is to identify any consultations that you have worried about after work.

- A review by the Registrar of these three clinical encounters using a list of questions and discussion points.
- Subsequent discussion between the Registrar and the Supervisor of the cases and the reflections of the Registrar.

Together they need to develop some practical rules for ensuring:

- Diagnosis, management and follow up are consistent with current standards.
- There is good communication with the patient and with colleagues
- There are good record keeping

The point here is that the best outcome for patients also minimizes the risk of being sued.

Key questions for discussion with Registrar after discussing the specific review cases.

- What do you think your risk of being sued is? How do you feel about that?
- Is there a difference between good medical practice and medico-legal defensiveness?
- Which systems within the practice might affect the risk?
- How does the way I practice affect the risk?
- What is reasonable follow up?
- What do I do if I think I have made an error? You're not on your own!
- In this practice who do you go to for advice on these types of issues?
- Outside this practice who might you get advice and support from?