

Identify a
contemporary legal
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A Legal Issue in Healthcare Industry (College A Legal Issue in Healthcare Industry Medical malpractice is evidently prevalent in modern health care industry. According to studies conducted by Institute of Medicine (as cited in Kohn, Corrigan, & Donaldson, 2000), preventable medical errors committed by doctors and other medical professionals cause death of 98, 000 or more Americans every year. It is an alarming reality that medical malpractices kill more Americans than car accidents or AIDS do. In America, common law constitutes provisions for the eradication of illegal medical practices. According to Danzon (2011), the American health care laws impose financial liability on physicians and hospitals that are found liable for medical malpractices. In a sense, medical malpractice is a potential ethical issue rather than a mere legal issue. When a patient approaches a doctor, he holds the belief that the whole medical community including nurses and therapists would assist him to recover from the illness. However, once the patient comes to know that the healers are of little compassion, he/she gets frustrated and thus the professional ethics of medical practitioners are questioned. It is defined that “ a medical mistake becomes medical malpractice whenever the care of a patient falls below accepted community standards and causes a patient’s injury or death (Medical Malpractice)”. However, an ethical conflict persists with this issue as it is very difficult to determine specific community level standards. Although medical errors and malpractices are committed by individuals, it would adversely affect the professional stature of nation’s health care as a whole. The decline in total ethical value indicates the diminishing quality of health care operations. This situation often becomes a barrier to health care providers in formulating

effective medical policies. Anyhow, law ensures provisions for aggrieved parties to file suits against medical practitioners if the parties are not satisfied with the service (Medical Malpractice And Medical Negligence, 2011). This provision may raise emotional conflict between physicians and patients. Sometimes patients tend to misuse this legal provision and file suits against doctors in order to take undue advantages of this provision. If such conditions continue for a long time, it will hurt the sustainability of health care industry. Anyhow, indefinable medical standards are the main ethical aspect associated with the conflicts. In order to eliminate these issues, medical practitioners have to change their professional perspectives to a great extent from profit motives to service. Similarly, proper monitoring systems over medical practices may avert conflicts associated with this issue. Medical practitioners' views and ideologies can be changed through special training programs. Under this session, they must be properly enlightened with the necessity of efficient patient care. In order to ensure the efficacy of the proposed changes, proper monitoring should be practiced at each stage of policy development. The rate of lawsuits after the implementation of proposed program would indicate direct status of effectiveness of the implemented policies. The proposed programs must ensure the quality and conduct of various medical activities. The physicians must provide patients with necessary information regarding their disease and also prescribe proper tests. Finally, there must be provisions to determine the accuracy of diagnosis, prescriptions, and surgery because these are the potential areas of malpractice. Reference Danzon, P. M. (2011).

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