



ROYAL AUSTRALASIAN COLLEGE OF SURGEONS

MEDIA RELEASE

Improving the informed consent process

Thursday 6 May, 2010

A recent study has highlighted the ongoing importance of ensuring the informed consent of patients, particularly within the surgical specialties of plastic surgery, neurosurgery and orthopaedic surgery.

Delegates to the Royal Australasian College of Surgeons' 79th Annual Scientific Congress (ASC) have been told that disputes about informed consent are common, disproportionately affect surgeons and centre predominantly on risks allegedly not discussed.

Melbourne based surgical Trainee Dr Andrew Gogos told delegates that trained medical reviewers had examined the files associated with complaints lodged with the Office of the Health Services Commissioner of Victoria between 1 January 2002 and 31 December 2008. They also reviewed claim files associated with medical negligence claims against doctors insured by Avant Mutual Group Limited during the same period. The reviewers extracted data on all cases alleging problems in the informed consent process.

Of 1,898 conciliated complaints, 218 (11 per cent) alleged problems in the informed consent process. Of 7,846 claims, 263 (3.3 per cent) alleged such problems. This corresponds to a rate of 1.9 informed consent complaints and 1.3 claims per 1,000 doctors per year.

Most patients were female (69 per cent) with a median age of 48.9 years. In most instances the informed consent process was conducted by a consultant (84 per cent) within private practice (66 per cent).

In 60 per cent of cases the subject of the allegations was a surgeon, making them 25 times more likely to be proceeded against for a substandard informed consent process than general practitioners. Among the surgical specialties, plastic surgeons, neurosurgeons and orthopaedic surgeons were most commonly the subjects of complaint. Seventy-nine percent of cases alleged a failure to discuss risks.

"There are policies in place to ensure risks are discussed and informed consent obtained. While complaints arise in only a fraction of cases, the study does indicate that this is a potential area for improvement," Dr Gogos said. "Better understanding of the clinical circumstances that lead to these disputes may help to avoid them and improve patient satisfaction with care."

Dr Gogos's presentation is one of hundreds at this year's ASC, covering all surgical specialties and aspects of surgical history and education. Nearly 2,000 delegates are expected to attend the ASC, which runs from 4 to 7 May and is being held at the Perth Convention Exhibition Centre. The ASC program is available online at www.surgeons.org

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