

Practice of “Defensive Medicine”

Defensive Medicine “ A deviation from the sound medical practice that is indicated primarily by a threat of liability”

Wikipedia

The “Defensive Medicine” currently means a defensive decision making and refers to the practice of recommending diagnostic tests (more than required) or prescribing more medicine and sending patients to further consultations and avoiding (if possible) high risk patients.

The practice of defensive medicine has its domino effects: over diagnose, over consult, over treat and avoid high risk patients. Here, the patient is seen a potential plaintiff. It is a deviation from good medical practice as the medical ethics dictates the policy of a sound medical practice i.e. “Total principle of beneficence” for the patients. The focus of the medical practice has shifted from the well being of the patients to his own legal protection. An analysis is therefore needed to ascertain the compelling factors which brought such a great change in the psyche of the Medical Profession.

Among recent years, a large numbers of laws have been enacted for the Medical Profession probably, some of them populist measure. Atleast, some of them have brought the health providers into the category of an ordinary criminal. It must be clearly understood that the medical decision making is not an easy task. Hippocrates knew it. **(Decisions instant and difficult signs are fallacious)**. Decisions are made in Medicine which follow the rules of probability and may produce adverse outcome including mortality. In such circumstances, the doctor may win a liable case but he has already suffered a mental, physical and financial damages.

In consumer cases, law sees whether a standard and reasonable care was provided to the patient or not. Both terms are indefinable, intangible and dependent on the interpreting authority.

No wonder all over the world the rate of cesarian delivery has increased. Doctors are afraid of giving a trial of normal delivery. If the trial of normal delivery goes wrong, explanation is slapped “Why caesarean was nor performed?” Not easy to answer.

This practice of defensive medicine is causing enormous rise in medical bills and physical inconvenience to the patients as well. However, only sensible remedy is that the doctors be punished only when Mens Rhea (evil intention) is proved and the medical community be protected by heavily subsidized insurance.

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