

# Medical Students Perception on Medical Negligence Cases at Mangaluru City

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**Abstract:** Negligence is the failure to behave with the level of care that a reasonable person would have exercised under the same circumstances. The concept of negligence is fundamental to tort law. Medical negligence, also known as medical malpractice is a breach of the duty of care owed by a healthcare provider to their patient, resulting in harm or injury to the patient. It usually occurs when a healthcare provider fails to meet the standard of care expected in their profession, leading to suboptimal treatment, misdiagnosis, or failure to diagnose a condition. The National Library of Medicine estimates that there are over 5.2 million medical negligence cases in India each year.

After the analysis of secondary data, it is clear that there is a need to understand the cause for occurrence of medical negligence cases hence, the researcher had planned to take up a study with objectives to find the reasons for medical negligence, understand perspective of medical students on such cases, study impact of such cases on patients and to suggest preventive measures to avoid medical negligence by collecting primary data. The medical students studying in Mangaluru city are the respondents and the data is collected through interview using interview schedule. Simple random technique was adopted for the selection of sample. The present study focuses on the medical students' perception on medical negligence cases at Mangaluru city which would also give an insight to various authorities of Medical and Law enforcement agencies to work together to reduce such cases from occurring. Medical negligence is a serious issue, but there are few steps both patients and healthcare providers can take to minimize the risk. By working together, patients and healthcare providers can create a safer and more positive healthcare experience.

**Keywords:** Medical Negligence, Students, Crime Prevention

## INTRODUCTION

Negligence refers to the failure to exercise the care and diligence required in a particular situation,

resulting in harm or injury to another person. Medical negligence, also known as medical malpractice, usually occurs when a healthcare provider fails to meet the standard of care expected in their profession, resulting in harm or an injury to the patient. There are various types of medical negligence, some of which include misdiagnosis or delayed diagnosis, surgical errors, medication mistakes, birth injuries, negligent treatment, failure to obtain informed consent, breach of confidentiality and many more. According to the statistical report with the title "Medical Negligence in Hospitals: A Statistical Analysis", most common medical negligence includes misdiagnosis and medication errors and hospitals with higher patient volumes had higher negligence rates. The National Library of Medicine estimates that there are over 5.2 million medical negligence cases in India each year. These kinds of circumstances have become far more common over time. Studies have shown that annual numbers have increased by about 110%. That is further supported by the 400% increase in medical litigation cases reported in a 2015 study. Approximately 80% of deaths caused by medical errors require surgery. According to reports, the specialists' expertise or knowledge is usually uncontested. Rather, the fault lies in the team members' lack of cooperation and communication. Approximately 70% of deaths during emergencies are caused by this type of mishandling.

According to current studies, medical errors are the third biggest cause of death in the United States, accounting for 250,000 deaths annually. Unfortunately, a large number of these mistakes are the consequence of medical negligence, which happens when healthcare professionals fail to upload. As it can be seen, there are cases of medical care gone wrong anywhere in the world. Even in wealthy nations with supposedly superior resources. However, they are tracking and responding to them

more effectively now. That is demonstrated by the large volume of cases and the hefty compensation costs.

This study was conducted by *David Muller, Katherine Ornstein* (2007) on the topic *Perceptions of and attitudes towards medical errors among medical trainees*. This study aimed to understand how medical trainees define medical errors and the factors influencing their perceptions. 423 medical students and house staff were surveyed at an urban academic medical center to understand their definitions, experiences with errors, beliefs about patient notification, and attitudes towards medical errors. Results showed that errors could be considered an error regardless of outcome, negligence, intention, or consent. Definitions did not vary according to gender or training level. Trainees experienced increasing feelings of guilt and fear as errors related to them worsened. They were more likely to feel guilty and angry at themselves, fearing accusations of malpractice, losing their license, damaging their reputation, or losing confidence when errors were made individually versus in a team setting. Female trainees were more likely to feel guilty and angry at themselves and fear losing confidence if they made an error. The study concluded that trainees' perceptions and attitudes towards errors vary depending on their clinical years, the severity of outcomes, and whether the error is attributable to an individual or a team.

### METHODOLOGY

Methodology is a significant part of any study as it gives the information about tools and technique used for the collection of data in systematic way. The current study is undertaken as follows:

Table No. 01:

Age \* Reason for medical negligence cases

			Reason for medical negligence cases										Total
			.00	Insufficient knowledge	Overconfidence	No dedication	Lack of sympathy	Absent minded	Lack of awareness	Carelessness	External factors	Work overload	
Age	17-18	Count	1	2	1	1	0	2	0	2	1	0	10
		% of Total	1.0%	2.0%	1.0%	1.0%	0.0%	2.0%	0.0%	2.0%	1.0%	0.0%	10.0%
	19-20	Count	2	5	2	4	8	4	7	3	7	3	45
		% of Total	2.0%	5.0%	2.0%	4.0%	8.0%	4.0%	7.0%	3.0%	7.0%	3.0%	45.0%

The need for the study was that there has been increase in medical negligence cases and the reasons for these vary from case to case. Thus, this study is to find out the reasons on the basis of medical students' perception in order to reduce medical negligence and to increase awareness about the impact of medical negligence on patients among medical students.

The present study is taken up with the following objectives-

- To find the reason for medical negligence.
- To know the perspective of medical students on medical negligence cases.
- To study the impact of medical negligence cases on patients.
- To suggest preventive measures to avoid medical negligence.

The present study is a descriptive research design that was conducted in Mangaluru city. The primary data was collected from medical studying who are aged between 18 to 26 years using structured interview schedule that consisted 16 questions. After obtaining the consent from the respondents, the researcher collected the data through face to face verbal communication. Further, the collected data has been scrutinized and the code book has been drawn. The coded information was then entered into computer using Statistical Package for the Social Sciences (SPSS) software. The coded data has been presented in bivalent tables for the purpose of analysis.

### DATA INTERPRETATION

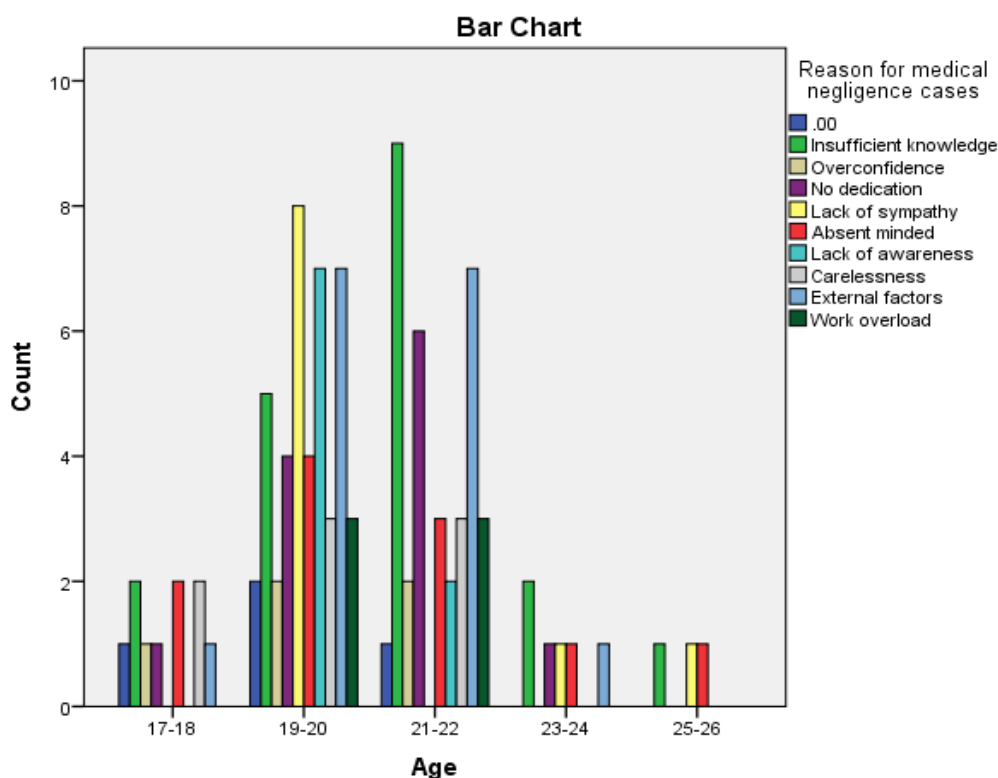
Data analysis is the process where through logical and systematic techniques the data gets evaluated and an unbiased inference gets illustrated. The data from the bivalent tables were then cross-related for the purpose of interpretation.

21-22	Count	1	9	2	6	0	3	2	3	7	3	36
	% of Total	1.0%	9.0%	2.0%	6.0%	0.0%	3.0%	2.0%	3.0%	7.0%	3.0%	36.0%
23-24	Count	0	2	0	1	1	1	0	0	1	0	6
	% of Total	0.0%	2.0%	0.0%	1.0%	1.0%	1.0%	0.0%	0.0%	1.0%	0.0%	6.0%
25-26	Count	0	1	0	0	1	1	0	0	0	0	3
	% of Total	0.0%	1.0%	0.0%	0.0%	1.0%	1.0%	0.0%	0.0%	0.0%	0.0%	3.0%
Total	Count	4	19	5	12	10	11	9	8	16	6	100
	% of Total	4.0%	19.0%	5.0%	12.0%	10.0%	11.0%	9.0%	8.0%	16.0%	6.0%	100.0%

The data shown in the Table No.01 with regard to the age of the respondents (medical students) and the reasons for medical negligence depicts that 45 percent of the respondents belong to the age group of 19 to 20 years, followed by 36 percent belong to age group of 21 to 22 years, ten percent belong to age group of 17 to 18 years, six percent belong to age group of 23 to 24 years and only three percent belong to the age group of 25 to 26 years.

The data shown with regard to perception of the respondents on reasons for occurrence of medical negligence case indicates that 19 percent of the

respondents think insufficient knowledge is the reason for occurrence of medical negligence cases, followed by 16 percent stating external factors such as bribery, no fear of law and authority is the reason, 12 percent stating no dedication, 11 percent stating that its because of absent mindedness, 10 percent stated lack of sympathy towards the patients, nine percent stated that its because of lack of awareness, eight percent believes its because of carelessness, while six percent stated that it is because of workload and five percent thinks its because of overconfidence of medical team.



The present study reveals that most of the respondents irrespective of their age think insufficient knowledge (19%) is one of the main reason for occurrence of medical negligence cases.

Table No. 02:

		Age * Impact on victim										Total
		Impact on victim										
		.00	Emotional trauma	Death	Bad	Anger towards staff	Physical trauma	Complications in future	Life threat	Financial loss	Depends on the case	
17-18	Count	0	1	3	1	0	0	1	4	0	0	10
	% of Total	0.0%	1.0%	3.0%	1.0%	0.0%	0.0%	1.0%	4.0%	0.0%	0.0%	10.0%
19-20	Count	0	9	4	4	1	3	3	18	2	1	45
	% of Total	0.0%	9.0%	4.0%	4.0%	1.0%	3.0%	3.0%	18.0%	2.0%	1.0%	45.0%
21-22	Count	5	2	2	6	1	4	4	10	0	2	36
	% of Total	5.0%	2.0%	2.0%	6.0%	1.0%	4.0%	4.0%	10.0%	0.0%	2.0%	36.0%
23-24	Count	1	0	1	2	0	0	0	1	0	1	6
	% of Total	1.0%	0.0%	1.0%	2.0%	0.0%	0.0%	0.0%	1.0%	0.0%	1.0%	6.0%
25-26	Count	0	1	1	1	0	0	0	0	0	0	3
	% of Total	0.0%	1.0%	1.0%	1.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	3.0%
Total	Count	6	13	11	14	2	7	8	33	2	4	100
	% of Total	6.0%	13.0%	11.0%	14.0%	2.0%	7.0%	8.0%	33.0%	2.0%	4.0%	100.0%

The data shown in the Table No. 02 with regard to age of the respondents (medical students) and their perception on how medical negligence impacts the life of a victim depicts that 45 percent of the respondents belong to the age group between 19 to 20 years, followed by 36 percent between 21 and 22 years, 10 percent between 17 to 18 years, six percent between 23 to 24 years and only three percent between 25 to 26 years.

The data shown with regard to how medical negligence impacts the life of a victim indicates that 33 percent of the respondents stated that medical

negligence causes life threat to the victim, followed by 14 percent stated it badly impacts life of a victim, 13 percent think it impacts emotionally, 11 percent told it causes death, 8 percent think it causes complications in future, 7 percent stated it causes physical trauma, 4 percent it stated that it depends on the case and two percent stated it raises anger towards the doctor and financial loss respectively.

The present study reveals that most of the respondents irrespective of their age think that the medical negligence causes life threat to victim (33%).

Table No. 03:

Currently pursuing \* Ways to treat or compensate a victim

		Ways to treat or compensate a victim								Total	
		.00	Money	Free treatment	Apology	Punishment to doctor	No idea	Inform authority	Depends on the severity		
Currently pursuing (Educational qualification)	MBBS	Count	5	25	9	0	1	1	1	2	44
	% of Total		5.0%	25.0%	9.0%	0.0%	1.0%	1.0%	1.0%	2.0%	44.0%
BDS	Count	3	11	5	1	1	1	0	1	23	
	% of Total		3.0%	11.0%	5.0%	1.0%	1.0%	1.0%	0.0%	1.0%	23.0%
BPT	Count	2	10	10	0	3	2	1	1	29	
	% of Total		2.0%	10.0%	10.0%	0.0%	3.0%	2.0%	1.0%	1.0%	29.0%
MPT	Count	0	2	0	0	0	1	0	0	3	
	% of Total		0.0%	2.0%	0.0%	0.0%	0.0%	1.0%	0.0%	0.0%	3.0%
MDS	Count	0	0	1	0	0	0	0	0	1	
	% of Total		0.0%	0.0%	1.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1.0%

Total	Count	10	48	25	1	5	5	2	4	100
	% of Total	10.0%	48.0%	25.0%	1.0%	5.0%	5.0%	2.0%	4.0%	100.0%

The data shown in the Table No. 03 with regard to educational qualification (currently pursuing) of the respondents (medical students) and their perception on how medical negligence impacts the life of the victim depicts that 44 percent of the respondents are pursuing MBBS, followed by 29 percent BPT, 23 percent BDS, 3 percent MPT and only one percent MDS.

The data shown with regard to ways to treat or compensate the medical negligence victim indicates that 48 percent of the respondents stated that victims should be monetarily compensated followed by 25

percent think they should be provided with free treatment, five percent stated punish the doctor and no idea respectively, four percent think that ways to compensate depending on the case, two percent think its better to inform the authority and only one percent stated the they should be apologized.

The present study reveals that most of the respondents irrespective of their educational qualification that they are currently pursuing stated that victims of medical negligence should be monetarily compensated (48%).

Gender \* Doctor`s state of emotion

		Doctor`s state of emotion										
		.00	Bad	Guilty	Nothing	Ashamed	More greedy	Devastated	Traumatized	Don`t know	More aware for next cases	
.00	Count	0	1	0	0	0	0	0	0	0	0	1
	% of Total	0.0%	1.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1.0%
Male	Count	0	5	7	0	1	0	1	0	0	1	15
	% of Total	0.0%	5.0%	7.0%	0.0%	1.0%	0.0%	1.0%	0.0%	0.0%	1.0%	15.0%
Female	Count	2	16	35	3	9	1	2	7	2	5	82
	% of Total	2.0%	16.0%	35.0%	3.0%	9.0%	1.0%	2.0%	7.0%	2.0%	5.0%	82.0%
Don`t want to answer	Count	1	0	0	0	0	0	0	1	0	0	2
	% of Total	1.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1.0%	0.0%	0.0%	2.0%
Total	Count	3	22	42	3	10	1	3	8	2	6	100
	% of Total	3.0%	22.0%	42.0%	3.0%	10.0%	1.0%	3.0%	8.0%	2.0%	6.0%	100.0%

The data shown in the Table No.04 with regard to gender of the respondents (medical students) and their perception on how medical negligence impacts the life of victim depicts that 82 percent of the respondents are females while 15 percent are males and three percent did not want to reveal their gender. The data shown with regard to doctor`s state of emotions indicates that 42 percent feel guilty after being part of medical negligence, followed by 22 percent feel bad, ten percent feel ashamed, eight

percent will be traumatized, six percent will be more aware from next time, three percent will either feel nothing or will be devastated respectively and only one percent of the respondents stated that doctor will be more greedy.

The present study reveals that most of the respondents irrespective of their gender stated that they perceive that doctor feels guilty when he or she becomes the part of medical negligence case (42%).

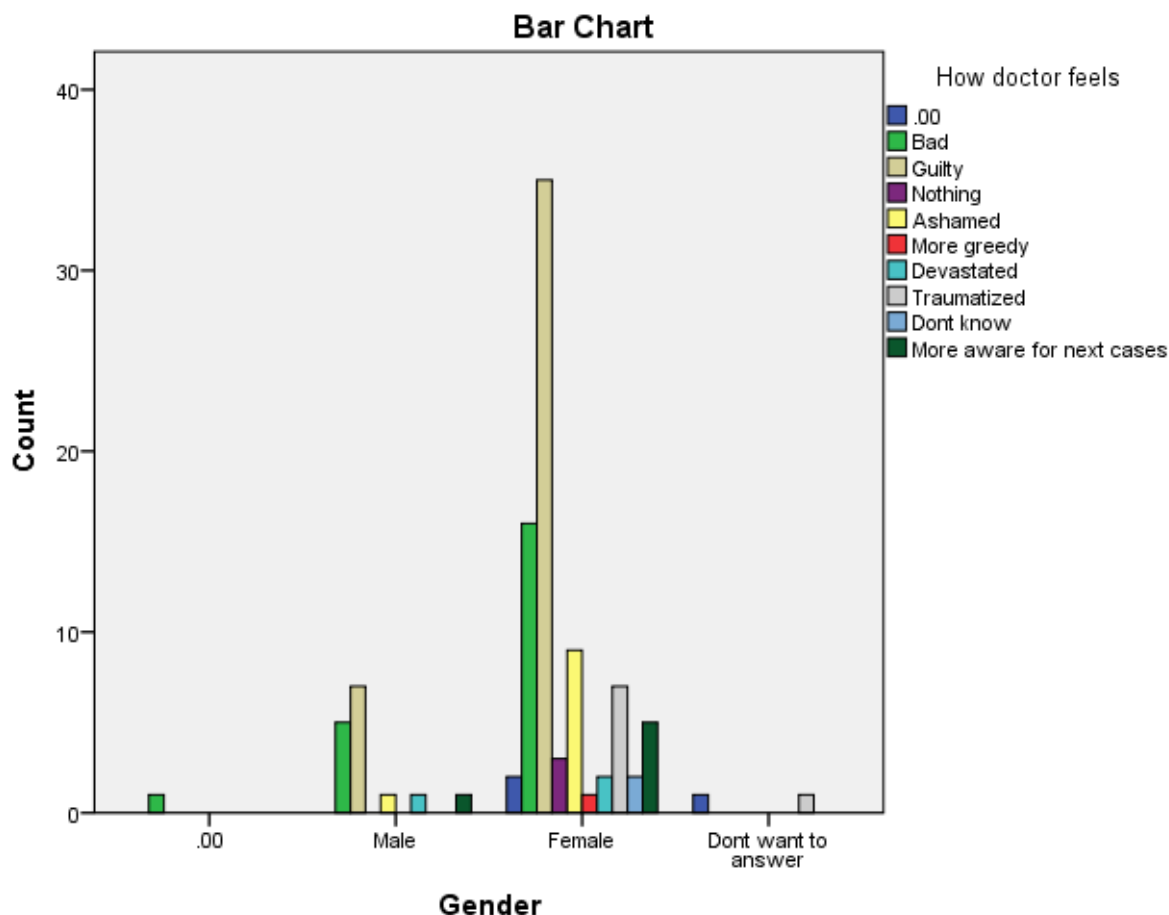


Table No. 05:

Currently pursuing \* Preventive measures

			Preventive measures									Total	
			.00	Impro ved infrast ructur e	Good teachi ng and trainin g	Stricter rules	Spread awaren ess	Presen ce of mind	Increas ed sympat hy	Proper documentat ion	Coordinatio n and communicat ion		Equal treatm ent
Currently pursuing (Educational qualification)	MB BS	Count	1	4	10	2	10	3	1	9	4	0	44
	MB BS	% of Total	1.0%	4.0%	10.0%	2.0%	10.0%	3.0%	1.0%	9.0%	4.0%	0.0%	44.0%
	BDS	Count	2	0	5	5	4	1	2	2	1	1	23
	BDS	% of Total	2.0%	0.0%	5.0%	5.0%	4.0%	1.0%	2.0%	2.0%	1.0%	1.0%	23.0%
	BPT	Count	2	0	8	8	3	4	0	1	0	3	29
	BPT	% of Total	2.0%	0.0%	8.0%	8.0%	3.0%	4.0%	0.0%	1.0%	0.0%	3.0%	29.0%
	MPT	Count	0	0	0	0	0	0	0	2	1	0	3
	MPT	% of Total	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	2.0%	1.0%	0.0%	3.0%
	MD S	Count	0	0	1	0	0	0	0	0	0	0	1
	MD S	% of Total	0.0%	0.0%	1.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1.0%
Total	Count	5	4	24	15	17	8	3	14	6	4	100	
Total	% of Total	5.0%	4.0%	24.0%	15.0%	17.0%	8.0%	3.0%	14.0%	6.0%	4.0%	100.0%	

The data shown in Table No. 05 with regard to educational qualification (currently pursuing) of the respondents (medical students) and their perception on how medical negligence impacts the life of the victim depicts that 44 percent of the respondents are pursuing MBBS, followed by 29 percent BPT, 23 percent BDS, 3 percent MPT and only one percent MDS.

The data shown with regard to preventive measures indicates that 24 percent of respondents stated good teaching and training, followed by 17 percent spread awareness, 15 percent stricter rules, 14 percent proper documentation, eight percent presence of mind, six percent coordination and communication, four percent improved infrastructure and equal treatment respectively and only three percent stated increased amount of sympathy can prevent occurrence of medical negligence cases.

The present study reveals that most of the respondents irrespective of their educational qualification that they are currently pursuing stated that best measure to prevent medical negligence case is by providing good teaching and training (24%).

#### FINDINGS

Findings indicate the research outcome after the analysis and interpretation of the data collected from the respondents. It helps the researcher to reach the conclusion. It is the simplified written format of the information depicted from the data represented in the form of tables, bar graphs, pie chart etc.

The findings from the data are as follows:

- The present study reveals that most of the respondents irrespective of their age, gender and educational qualification think insufficient knowledge (19%) is one of the main reason for occurrence of medical negligence cases.
- The present study reveals that most of the respondents irrespective of their age, gender and educational qualification think that the medical negligence causes life threat to victim (33%).
- The present study reveals that most of the respondents irrespective of their age, gender and educational qualification stated that the victims of medical negligence should be monetarily compensated (48%).
- The present study reveals that most of the respondents irrespective of their age, gender and educational qualification stated that

they perceive that doctor feels guilty when he or she becomes the part of medical negligence case (42%).

- The present study reveals that most of the respondents irrespective of their age, gender and educational qualification stated that best measure to prevent medical negligence case is by providing good teaching and training (24%).

#### SUGGESTIONS

Medical negligence is a serious issue, but there are steps both patients and healthcare providers can take to minimize the risk. Here are some suggestions:

For Patients:

- **Communication is Key:** Be clear and upfront with your doctor about your medical history, medications, and any concerns you have. Ask questions and make sure you understand your diagnosis and treatment plan.
- **Be an Informed Patient:** Research your condition and treatment options. The more informed you are, the better equipped you are to participate in your care.
- **Don't Hesitate to Speak Up:** If something doesn't feel right, voice your concerns to your doctor or nurse. You are your own best advocate.
- **Maintain Accurate Records:** Keep a list of your medications and allergies, and bring them to every appointment.

For Healthcare Providers:

- **Clear Communication:** Ensure you clearly explain diagnoses, treatment plans, and potential risks to patients. Encourage questions and open communication.
- **Informed Consent:** Obtain proper informed consent before any procedures. Make sure patients understand the risks and benefits involved.
- **Accurate Documentation:** Maintain thorough and accurate medical records. This protects both patients and providers.
- **Culture of Safety:** Foster a work environment that prioritizes safety and encourages staff to report errors without fear of blame.
- **Continuous Learning:** Stay up-to-date on the latest medical advancements and best practices through ongoing education. By working together, patients and healthcare providers can create a safer and more positive healthcare experience.

#### CONCLUSION

Medical negligence occurs when a healthcare provider fails to meet the expected standard of care, resulting in harm to the patient. This can involve errors in diagnosis, treatment, aftercare, or communication. Proving medical negligence can be complex and often requires expert medical testimony to establish the standard of care and whether it was breached. Medical negligence is a complex area of law, and consulting with a medical malpractice attorney is recommended if you believe you may have a case. They can help you understand the specifics of your situation and determine the best course of action. Medical students tend to have negative views of the medical malpractice system, often formed before entering medical school. They may be concerned about the potential for lawsuits and how it can impact patient care and their own practice. Studies suggest senior students might be more receptive to certain reforms like screening panels for cases. There's a need for increased education on medical negligence in medical school curriculums. This can help future physicians understand their legal and ethical obligations, improve patient communication, and potentially reduce the incidence of preventable medical errors. Further research is needed to explore how factors like specialty choice and personal experiences influence students' perceptions. This can help tailor educational programs and address specific concerns within the medical profession.

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