



UNION EUROPÉENNE DES MÉDECINS SPÉCIALISTES EUROPEAN UNION OF MEDICAL SPECIALISTS

Association internationale sans but lucratif

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UEMS 2014 / 08

MEETINGS OF THE BOARD & COUNCIL OF UEMS

DISCUSSION FORUM

*Meetings to be held at the **Maison des Associations Internationales***

*Rue Washington 40
1050 Brussels (Belgium)*

Friday 11th April 2014

Saturday 12th April 2014

DISCUSSION FORUM
MALPRACTICE AND MEDICAL LIABILITY IN EUROPE. STATE OF
THE ART AND GUIDELINES

Faciliated by FNOMCeO

Friday 11th April 2014 – 16.00 – 17.30

Introduction & Aims

Modern medical practice is increasingly complicated by factors beyond the traditional realm of patient care, including novel technologies, loss of physician autonomy, economic pressures, factors that have all led to an increase of medical malpractice lawsuits.

The burst of technology and hyper-specialization in many fields of biomedicine means that each malpractice claim is transformed into a scientific challenge, requiring specific preparation in the analysis and judgment of the clinical case in question. In these judicial or extra-judicial settings, the role of legal medicine has become increasingly specific, often giving rise to erroneous interpretations and hasty scientific verdicts. Moreover, there is a vast heterogeneity in the methodology of ascertainment and in the criteria of evaluation used by medico-legal experts in the diverse European Union Countries.

The aims of this session are:

- to give an overview on legislation and jurisdiction pertaining medical malpractice in different European Countries;
- to clarify the steps required for a sequential, in-depth analysis of events and the consequences of medical actions;
- to propose Consensus Guidelines on methods of ascertainment as well as evaluation criteria in medical responsibility and liability to be adopted by the European Union of Medical Specialists, Thematic Federation of Legal Medicine.

Proposed Lectures:

- 1) *Introduction & European Overview*
Santo Davide Ferrara - 10 min
- 2) *Medical Liability in Europe. A Comparison of Selected Jurisdictions*
Bernhard Alexander Koch - 20 min
- 3) *Medical malpractice ascertainment in France, Spain and Portugal*
Nuno Duarte Vieira - 15 min
- 4) *Medical malpractice ascertainment in Austria, Germany, and Switzerland*
Tony Fracasso - 15 min
- 5) *Proposal of European Medico-legal Guidelines*
Santo Davide Ferrara / Guido Viel - 15 min
- 6) *Open Discussion* - 15 min