

# Comment Komentaar

## The importance of the "Association"

While the enthusiasm for our new "Academy" is running high and the "College" has just contributed to another successful congress for G.P.'s, it is well to realise the importance of the "Association".

The Medical Association of South Africa (MASA) represents every type of medical practice in our country, and is constantly striving to obtain the best conditions for good medical practice. The responsibility this entails is often heavy, but the gratitude of those who benefit is seldom commensurate.

I have just had the privilege of representing the G.P. Group at one of those round table discussions for which Prof. De Klerk and the Secretariat of MASA are becoming famous. Around the table were representatives from various disciplines, as the problem to be thrashed out affected a number of specialties and also general practice, and the interests were decidedly conflicting.

Each representative set out his case with fervour and although, as behoves disciples of Aristotle, anger was sometimes displayed, control was deftly maintained by the Chairman. Thus only constructive contributions were allowed, and before long, seemingly irreconcilable issues were resolved amicably.

On reflection after the meeting, one realised that no similar forum existed in our country for this type of deliberation to take place. I wondered how many of my colleagues were aware of these behind the scenes manoeuvres to keep our profession from disintegrating into minor groups, and losing its power to negotiate with the authorities who often deal with medical matters from a completely different vantage point.

## Die belangrikheid van ons "Vereniging"

Die entoesiasme vir ons nuwe "Akademie" word al hoe meer uitgesproke en die "Kollege" het so pas bygedra by nog 'n



George Davie

suksesvolle Huisartskongres. Die onmisbaarheid van die "Vereniging" moet egter nooit betwyfel word nie.

Die Mediese Vereniging van Suid-Afrika (MVSA) verteenwoordig al die verskillende mediese praktyke in ons land en is ewigdurend besig om optimale toestande vir goeie mediese praktyk aan te moedig. Hierdie verantwoordelikheid weeg soms baie swaar op die Vereniging maar die dankbaarheid wanneer iets vermag word is dikwels karig.

Ek het so pas die Huisartsgroep verteenwoordig by een van daardie ronde tafel besprekings waarvoor prof. De Klerk en die Sekretariaat van MVSA beroemd word. Om die tafel was verteenwoordigers van verskeie dissiplines want die probleem om op te los het 'n aantal spesialis groepe asook huisartse betrek en die belange was soms duidelik teenstrydig.

Elke verteenwoordiger het sy saak entoesiasies gestel en soos dit ware volgelinge van Aristotel betsaam, is onsteltenis soms getoon maar kontrole is deurgaans gehandhaaf deur die ervare voorsitter.

Alleenlik opbouende bydraes is toegelaat, en kort voor lank was oënskynlik onoorbrugbare meningsverskille op 'n vriendelike wyse uit die weg geruim.

Na so 'n vergadering, besef mens dat daar geen soortgelyke forum in ons land bestaan vir hierdie tipe debat nie. Ek het gewonder hoeveel van my kollegas besef hoe daar agter die skerms gewerskaf word om te verhoef dat ons profesie in klein groepies verbrokkel om sodoende slaankrag te verloor wanneer met owerhede onderhandel word wat dikwels 'n heel ander standpunt oor mediese aangeleenthede inneem.

George Davie



Dr. Willie Pietersen

## Litigation

Doctors' professional liability premiums were drastically raised recently. It is clear that this rise in costs is justifiable — a recent court decision awarded a considerable sum in damages to a patient. The legal costs, too, have to be taken into account. It is estimated that this specific case involved costs in the region of R300 000.

Investigations are being undertaken by the Medical Council which may also bring heavy legal costs on their wake.

It appears, however, that some of our colleagues practise without this essential insurance, and one shudders at the thought that there are still people who regard such policies as only intended for those who carry out important surgical procedures.

Lucky indeed is the medical doctor who, during the course of his career, manages to avoid an unfortunate incident which could lead to possible litigation.

In such a highly specialised area as that in which we, as doctors, find ourselves — and this includes G.P.'s — the chance that we might face litigation at some stage is too great not to be insured against such a possibility.

We must take cognizance of the growing public awareness that one can sue a doctor for damages. A routine injection can, due to an unforeseen reaction, or a needle broken in the tissue of a restless child, have nightmarish consequences.

In a case where a doctor is accused of negligence, the task of proving the contrary in court is often not as easy and logical as it may seem.

It is therefore necessary for every doctor to frequently consider standing practises in his work that could give rise to

possible litigation. Even for the cautious practitioner, an insurance policy is absolutely essential. The peace of mind it engenders is of greater value than the money involved.

## Regsgedinge

Die aanspreeklikheidsversekeringspremies van dokters is onlangs drasties verhoog en dat hierdie verhoging nodig was, is duidelik uit 'n onlangse hofuitspraak waar 'n aansienlike bedrag as skadevergoeding aan 'n pasiënt toegestaan was. Dan moet die regskoste ook nog in berekening gebring word. Dit word dan geskat dat hierdie spesifieke saak se totale koste in die omgewing van R300 000 beloop het.

Verder is daar ondersoek te deur die Geneeskundige Raad ingestel word wat 'n aardige bedrag aan regskoste kan meebring. Daar is egter blykbaar nog sekere kollegas wat praktiseer sonder hierdie onontbeerlike versekering en 'n mens sidder aan die gedagte dat daar nog diesulkes is wat van mening is dat so 'n polis net bedoel is vir diegene wat groot chirurgiese prosedures uitvoer.

Die geneesheer wat deur 'n loopbaan as mediese praktisyn gaan en nooit 'n ongelukkige voorval beleef waar litigasie 'n wesentlike moontlikheid is nie, is sekerlik net baie gelukkig. In 'n hoogsgespesialiseerde beroep soos die waarin ons as geneesheers ons bevind — die huisarts ingesluit — is die kans te groot dat ons een of ander tyd 'n geding teen ons gaan kry, om nie voorsorg te tref vir die dag wanneer iets onvoorsiens gebeur nie.

Die bewustheid van die publiek dat hulle die geneesheer kan dagvaar vir skade word 'n faktor van ons tyd waarmee deeglik rekening gehou moet word. Die toediening van 'n alledaagse roetine inspuiting kan weens 'n onverwagte reaksie of 'n naald wat afbreek in 'n woelige kind se weefsel, 'n nagmerrie episode tot gevolg hê. Waar 'n saak van nalatigheid teen die geneesheer aanhangig gemaak word, is die bewyslas om die teendeel te bewys nie altyd wettig so maklik en logies as wat die oënskynlik mag voorkom nie.

Dit is dus nodig dat dokters gereed besin oor staande gebruike in hul praktyk wat moontlik aanleiding kan gee tot litigasie. Selfs vir die versigtige geneesheer is 'n versekeringspolis absoluut noodsaaklik want die sielorus wat dit meebring is nie meetbaar in geld nie.

Willie Pietersen