

# Gynaecologists (no obstetrics) in Focus

Specialty Claims Insights | 2023–2024

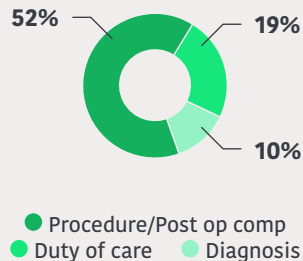


## 1 in 3.5

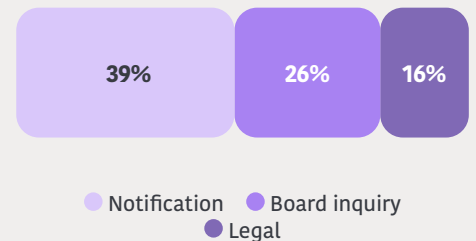
Gynaecology (no obstetrics) members notified MDA National of a medico-legal case in 2024, an increase from 1 in 5 in 2023.

Key findings from the combined 2-year data reveal:

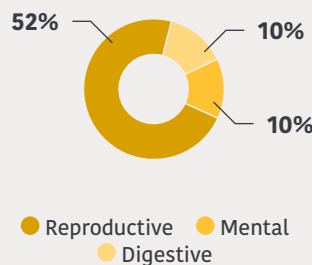
**Primary Incident (Top 3)**



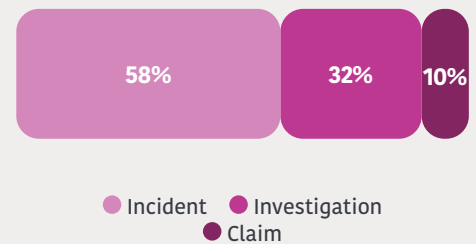
**Claim code (Top 3)**



**Injury Part (Top 3)**



**Case Type (Top 3)**



## Key Themes from MDA National Case Data



### Procedural complications

Complications from procedures, often involving laparoscopic surgeries are the most common. Unsurprisingly, 50% of all procedure/post op complications related to the reproductive system.

However other systems such as the digestive, urinary, nervous, and immunological systems made up 44% of other complications highlighting other potential complications resulting from procedures.



### Duty of care

Incidents in this area focus on the behaviour of the doctor towards the patient. Allegations of lack of consent, poor communication, inappropriate comments, lack of care and being dismissive of patient concerns are highlighted. Good communication techniques remains a critical and important tool for members.



### Medico-legal risk

While 84% of cases were identified as low severity in relation to medico-legal risk, the injury nature was predominantly moderate (52%), highlighting a range of potential complications and risks involved in this type of surgery that could impact both patient and doctor in the short and long term.

## Case Scenario\*

A Member met with a mother and her 13-year-old daughter. Surgery was later performed on the hymen of the patient. A complaint was raised by the patient with the HCCC many years later, alleging that Member did not ask for the patient's consent for the surgery or throughout the examination of her vagina. An allegation that the member only spoke to the mother was also raised.

Following a review by the HCCC it was found that verbal consent from the patient and mother were obtained prior to the examination and the procedure. Written consent for the procedure was obtained by the mother. It was also found that care and treatment were clinically appropriate and in line with standard medical practices.

Feedback from the HCCC indicated that terminology may be confusing, and it was critical to ensure all parties (mother and daughter) are fully engaged in discussions about the condition, treatment options and the procedure performed as this can lead to confusion or misunderstanding about the nature of the procedure. It is also important to ensure consent is clearly documented and that this should be communicated to all parties regardless of whether someone is signing as a guardian.

The case was closed with no further action taken.

## Looking for more info?

MDA National provides a variety of resources to support you in areas such as consent, medical documentation and complaints. Explore the links below for direct access.

### Case Studies & Articles

- [Consent for treatment](#)
- [Consent to Medical Treatment for the Mature Minor](#)
- [Managing patient complaints](#)
- [Avoiding Complaints](#)
- [Crossing the line with patient boundaries](#)
- [Honesty is always the best policy](#)
- [Maintaining Physical Contact Boundaries](#)
- [Physical examinations how to avoid misunderstandings](#)

### Learning Activities

- [Informed consent challenges](#)
- [Noteworthy: The how what where and why of medical documentation](#)
- Check [MDA National LMS catalogue](#) for online and face to face workshops on 'Noteworthy - medical documentation' and 'Patient boundaries'

It is important for MDA National to be informed of any potential incidents or claims. This enables advice and support to be available should anything arise and aids in preparation should anything further occur.

Please contact [advice@mdanational.com.au](mailto:advice@mdanational.com.au) or call us on 1800 011 255 for more information. Members can access our [Member Online Services](#), [Support in Practice](#) or our [LMS](#) for information and education content.

### Want more tailored information?

Scan QR code or visit [mdanational.com.au/specialist/Gynaecologists](https://mdanational.com.au/specialist/Gynaecologists)

