

Medico Legal Case-The Enforcing Law in Patient Care

Kumarasamy AP^{1*} and Vasanthakumar P²

¹All India Institute of Medical Sciences, Nursing college, India

²Department of Medical Surgical Nursing, Vinayaka mission's college of nursing, India

***Corresponding author:** Kumarasamy AP, All India Institute of Medical Sciences, Nursing college, India, Tel: 9216188229/ 07771809681; E-mail: apkmsn@gmail.com

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Abstract

Any case of Injury or ailment where some criminality is involved is called a Medico-Legal Case (MLC). It is essential to abide by the medical ethics to free them from legal issues. The people who are more prone to assault, trauma, accidents in the community (need to identified) and are also prone to be hospitalized to be treated under medical legal category case; who clearly observed which is often known as common injury/accidents; nurses should be responsible in documenting Medico Legal Cases.

Keywords: Medico Legal Case; Forensic medicine; Injury; Patient care; Toxicology

Introduction

By reading the term it creates the “fear-factor” in our mind which develops status anxiety in order to find the nature of injury and documentation procedures. The medical [1] professional provides the non-measurable service to the human in all aspects to improve the health. When the criminality /illegal activity is involved in damaging/disturbing the health of the person [2], need to be more caution in order to identify, and treat at the same time be in a safer side to defend our self from the legal problems by abiding the medical ethics we can be free from “fear-factor.”

Meaning

Injury

The word “injury” denotes any harm whatever illegally caused to any person, in body, mind, reputation or property [3].

Forensic Medicine

The application of medical knowledge to the investigation of crime particularly in establishing the cause of injury and death [4].

(MLC)

Any case of Injury or ailment where some criminality is involved is called as Medico-Legal Case [5].

Reality in Medico Legal Case

As far as medico-legal services are concerned, many of medical workers have seen medico-legal examinations Conducted and certifications undersigned by any MBBS doctor or gynecologist or Dermatologist etc., who are not specialized in medico-legal work. As per statistics, about 80 per cent of medico-legal work is done by non-forensic doctors, flooding the Department of Forensic Medicine and Toxicology in teaching hospitals [6] with second/expert opinion, due to non-specialized medico-legal knowledge of other doctors.

When a Forensic Medicine specialist available to do the core work he is trained in, there is no pointing a non-forensic doctor, who is not well versed with various aspects of forensic medicine (Figure 1) to authorize is work by Giving opinions or reports or presenting evidence in the court proceedings [7]. Therefore, all

medico-legal services in area or district hospitals must be mandated by doctors with specialization in MD Forensic Medicine & Toxicology. Provision of District Forensic

Medicine specialists will also cater to the need and will help in guiding both police and judiciary.

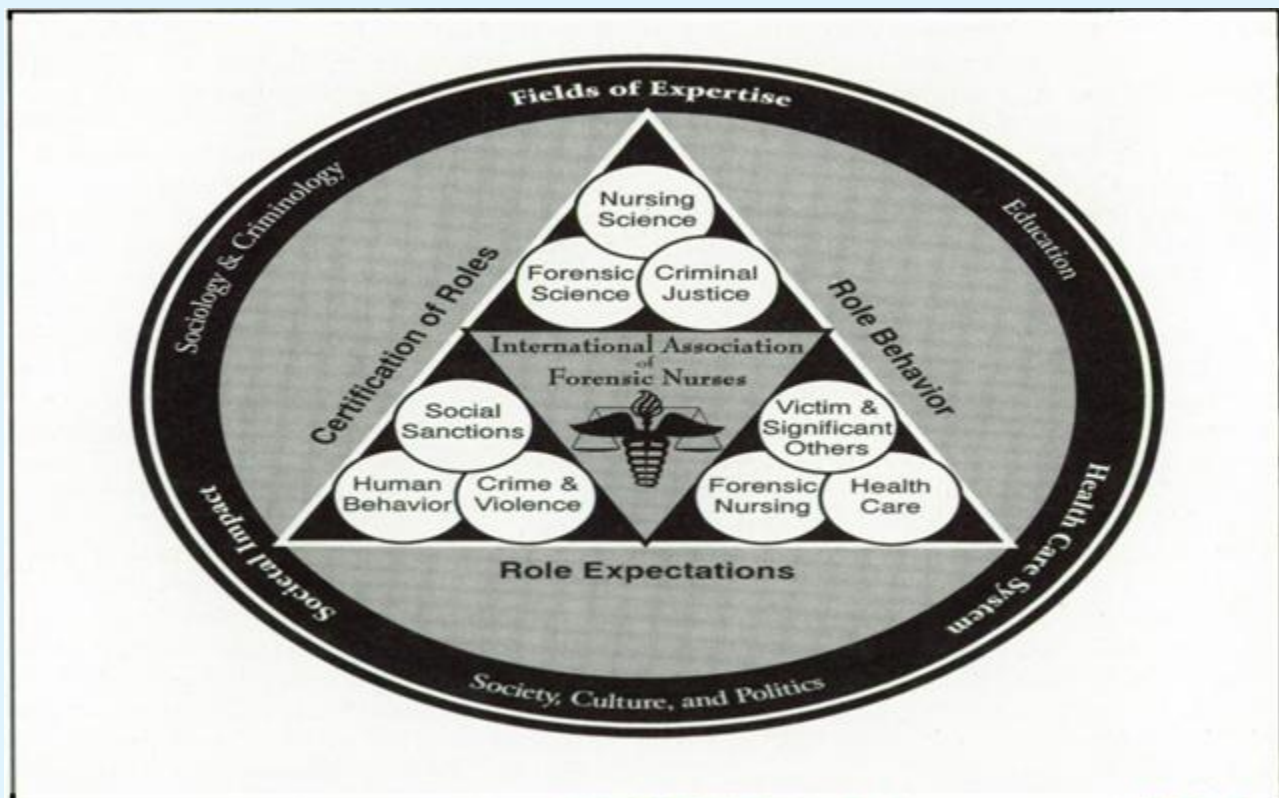


Figure 1: The theoretical framework of forensic nursing, based on an integrated model of nursing science and criminal justice.

Risk groups in public

1. Commercial sex workers
2. Military
3. Child labors
4. Homeless
5. Runaway peoples
6. Prisons
7. Communally dominated people

Risk for Nurses

When examining the patients in emergency with doctors the timely identification of symptoms and conclude the diagnosis helps to provide the ideal treatment for the symptoms, failing in such or taking long time in examinations, delayed information to consent chief or doctors lead to problem for nurses, it also included the various record keeping in a critical situation.

Categories of MLC

- Assault and battery, including domestic violence and child abuse
- Accidents like Road Traffic Accidents (RTA), industrial accidents etc.
- Cases of trauma
- Electrical injuries, Poisoning
- Alcohol Intoxication
- Undiagnosed coma
- Chemical injuries
- Burns and Scalds
- Sexual Offences
- Criminal abortions
- Attempted suicide
- Cases of asphyxia as a result of hanging, strangulation, drowning, suffocation etc.
- Custodial deaths
- Death in the operation theatre

- Un natural deaths
- Death due to Snake Bite or Animal Bite
- Fire Arm injuries
- Drug overdose
- Drug abuse
- Dead brought to the Accident and Emergency Dept/MIR room (Found dead) and deaths occurring within 24 hours of hospitalization without establishment of a diagnosis

Common Mistakes

1. Misdiagnosis or Delayed Diagnosis
2. Childbirth Injuries
3. Medication Errors
4. Anesthesia Errors
5. Surgery Error

Nurses responsibility in MLC cases

- Implement the legal responsibility for nurses in various settings
- Never delay in diagnosing the patient/information to higher authority
- Follow the standard protocol for the treatment
- Always abide the medical ethics
- Fill all the records with honesty
- Never destroy a record
- Consent with nursing higher authorities in submitting the report
- Get legal assistance in case of court trail

Physician Responsibilities in MLC Cases

1. Keep full and accurate Medical Records.
2. Employ standard care and skill
3. Do not fail to get written informed consent.
4. Diagnosis to be confirmed by laboratory tests.
5. Proper investigation to be advised.
6. Proper immunization schedule to be followed

Conclusion

Nurses are the key responsible for the comprehensive patient care. in order to handle medico legal cases [8] nurses needs more updated knowledge which enables them across most verities of cases and puts them in safer even for the patient and selves. Keenly observing legal responsibilities is the vital task of nurses in care of patient with medico legal category.

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