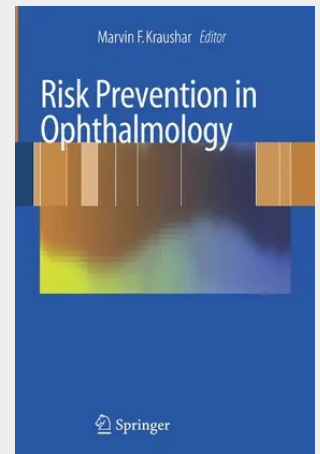


Risk Prevention in Ophthalmology

This book could save its readers millions – literally. Lawsuits can ruin a clinician's professional and personal life, and here's how to avoid them. Written for physicians by physicians, this important book concisely and pragmatically answers many of the questions surrounding medical malpractice. With an emphasis on clinical matters and a minimum of "legalese", this book shows ophthalmologists how to ensure there are no law suits in the first place. It also examines what happens should litigation occur and provides insights into both defendant and plaintiff perspectives. A chapter entitled "Natural History of a Lawsuit" walks the reader step-by-step through the procedure. Covering the legal issues for all of ophthalmology, here at last is a book that provides the busy clinician with the tools necessary to reduce the risk of potential lawsuits – as well as insights for coping with actual ones.

Just as patients do not come to a medical office with the intention of suing the physician, physicians have no intention of harming their patients. The extensive training physicians undertake and the nature of the services they provide make them dedicated to doing their best for the well being of their patients. Medical training itself inculcates physicians with the philosophy of not making mistakes. The criterion for establishing medical malpractice is negligence on the part of the physician that is the proximate cause of an injury suffered by the patient. The definition of negligence refers to an unintentional act or failure to act. If a physician acts in a negligent manner regardless of whether he or she causes harm to a patient, it is an unintentional error. Allegations of negligence are thus not simply a legal challenge for physicians but are also a professional and psychological affront. It is very unsettling for the physician who acts with the best of intentions to face the allegation that his or her care was negligent. For physicians, who are trained to search for the truth, the process of litigation is antithetical to their manner of reasoning. The adversarial system of the law is not necessarily a search for the truth but rather the selective presentation of only that evidence that is favorable to the plaintiff or to the defendant.



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