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PROMMIN HOMHUAL : MEDICAL MALPRACTICE COMPLAINTS: A CASE STUDY FROM NEWSPAPERS ( 1990-1997 ). THESIS ADVISORS : VITON EUNGPRABHANTH , Dr.Med , SAWEANG BOONCHERMVIPHAS, LL.M. SURACHART NA KNONGKHAI, MA. ANAK YOMJINDA, M.D. DUSIT SUJIRARAT , M.Sc . 143 P ISBN 974-662-062-2

The objective of this qualitative research is to study medical malpractice activity in Thailand. Data were collected from daily newspapers published between 1990 and 1997. The number of malpractice complaints was compiled and the causes of complaint, methods of complaint and the results of settlements were documented and analyzed.

The completed study shows that there were 75 cases of malpractice. The incident of malpractice cases has grown in recent year. The number of complaints in 1996 and 1997 were twice and 2.7 times, respectively, the number in 1990. The largest class of complaint was for damage done from obstetric treatment (32.00 %). The most common affection suffered by victims was death (57.34 %). The majority of victims were treated in government hospitals (62.34 %). Substandard unclear diagnosis was the most common cause of complaint (37.33 %). In-depth interviews revealed that the main stimulus to complaint was when doctors withheld the truth and tried to cover up their mistakes by passing fault to others. The main method of complaint was to report to police citing criminal negligence (36.00 %). Complaints involving private hospitals were taken to a court of law 3.5 times more frequency than cases involving government hospitals. Doctors denied wrong doing in 25 cases but were willing to help pay damage in 20 cases. In-depth interviews 20 cases showed that in 7 cases complaints were dropped because doctors agreed to pay compensation. There were 4 cases where complaints reached courts of law, and 2 of the cases were settled by court verdict while the other 2 cases were settled by agreement by both parties.

The result of this research study suggests that there should be a doctor or staff member who is available to offer explanation to complaints such as the reasons of sudden death. A fund should be provided to help victims.