

## Minutes of meeting of Medico Legal Society of India dt 18th July 2023

Online meeting of MLSI was organised on Tuesday 18th July 2023.

It was attended by

Dr. Mukesh Yadav

Dr. Devraj Raichur

Dr. Lalit Kumar

Dr. Nitin Dhande

Dr. Narasimha Rao

Dr. Cyriac Job

Dr. Ashutosh Jape

Dr. Shekhar

Dr. Rajeev Joshi

Dr Nitin Dhande

Dr. Pratibha Kane

Dr. Suresh Vasistha

Dr. Rishabh Rana

Dr. Ajay Gangoli

Dr. Joe Ceil

Dr. Prajakta Kele

Dr. Shri Gopal Kabra

Dr. Ashish Khatod

Apologies for missing the names of attendees who joined in between and stayed for a while and left the meeting. Following points were discussed during meeting

- 1. Annual General Meeting :** Dr. Joshi informed the president's message that he is unable to attend today's meeting but he had booked PYC, Pune for the AGM which is being held on 19th August 2023, as discussed in the previous meeting.. He further invited suggestions for the upcoming AGM and will issue an official circular on 19th July.
- 2. SOP for constitution of expert committee :** . On this Dr. Vasistha said that proposed SOPs are all right. Dr. Dhande asked about charges for patients, to which Dr. Joshi replied that it will be ₹ 25,000. Dr. Vasistha asked why we are going to provide this service to patients? Dr. Joshi said that if MLSI says that it will NOT give expert opinion on request by members and SOP go before the court, MLSI will be considered as a biased and partial organisation. At the same time we do not know whether a patient will need expert opinion from general practitioner, specialist or superspecialist, and there will some effort required to get experts who would like to give opinion on a request made by a patient. Since it is necessary to appear to be impartial or unbiased before court, we will have to entertain requests from the patients, and MLSI is entitled to charge a higher amount from patients similar to super specialists. Dr. Pratibha Kane opined that charges of this service and remuneration to experts should not be less so as to maintain its quality and importance and suggested that the expert committee should give a report as per template to be prepared by MLSI. Dr. Joshi requested Dr. Kane and asked if anyone would like to volunteer. Dr. Gangoli to work with Dr Kane on preparing a template of such expert opinion. (accordingly a template has been prepared and being discussed in the group)
- 3. Survey regarding Anaesthesia related drugs adverse events :** Dr. Joshi informed about analysis of data collected from anaesthesiologists that from numbers it appears that chance of death after serious adverse event is inversely proportional to experience. He further added that with the help of such data we can convince the court that there are always chances of adverse incidents in spite of taking every possible care. Dr. Kane said that she had already shared her opinion about survey

and it is impossible to make risk zero because every anaesthetic drug causes some adverse effects as action of these drugs is against human physiology and are by default hazardous to human health. Anesthesiologists should not be accused for medical negligence or attempting to kill a patient for the reason that the drug given by him causes hypotension, bradycardia etc. She further added that considering all such factors it is necessary to deal with cases of negligence related to anaesthesia specially and separately. Dr. Joshi said that he agrees with all that she said but if we go before court without enough data we will be thrown out within 2 minutes which has already happened in FOGSI cases so it is requested to contribute in collection of data. Dr. Rao said that Dr. Joshi and Dr. Kane are saying same thing the only difference is that Dr. Joshi is talking about the quantity of data, where Dr. Kane is talking about factors addressed during collection of data so the questionnaire should be restructured and simplified so that it can be understood by judges who are lay person about medical science to which Dr. Kane agreed.

4. Progress in a similar survey of OB GYN could not be discussed due to absence of Dr. Nikhil Datar.
5. **Progress in task assigned for PIL about medical negligence** : Dr. Rao said that if we want cognizance by court through this PIL then it should appear that we are trying for the welfare of patients otherwise court will become deaf and dumb. For working on this he requested Dr. Yadav to share data of cases related to medical negligence pending before consumer forums and commissions. Dr Manisha Jagtap will interact with Dr Mukesh Yadav for data and its analysis.
6. **Medical Tribunal** : Dr. Lalit Kumar informed that he had completed the draft of the Act for constitution of medical tribunal and was working on medical negligence. Dr. Joshi requested him to share this initial draft with members if possible to which Dr. Lalit Kumar agreed and promised to share it within 4 to 5 days
7. Dr. Lele, who was attending the meeting for the first time, introduced herself. Dr. Joshi requested her to become a member of MLSI to which she agreed.
8. Dr. Jape once again informed about atrocities committed with radiologists and in Pune city but as his lawyer didn't join the meeting, nothing new and fruitful came out of discussion. Dr Joshi requested him to send copy of the PIL filed by Dr Chaudhari in which Dr Jape would like to intervene for and on behalf of MLSI.
9. Dr Narashmha Rao requested Dr. Joshi informed about the latest update in the Kerala HC case. Dr Joshi informed that there was a hearing scheduled on 13th July but it was not listed on that day. So he was waiting for the next date. He said that there was no communication from KPHA or IMA Kerala in spite of giving all information on the Kerala PIL group in which there are members from these associations.
10. Dr. Joshi requested all the members to spare time and attend the upcoming AGM.

Meeting ended at 10 pm with resolution to meet on 01 August 2023.

Dr. Rajeev Joshi

Dr. Ashish Khatod