The escalation of medical litigation in South Africa has prompted the healthcare fraternity to look deeper into the challenges of medical lawsuits being experienced. Despite the discussions that took place at the summit convened by the Minister of Health, Dr Aaron Motsoaledi in March 2015, the situation has not changed. The Department of Justice has called for changes in how medical lawsuits are handled as it sees a soaring number of legal claims. The Health department has been hit the worst with claims running into billions of rands. The Health minister hinted a need for a medical ombudsman to tackle the challenges faced by the healthcare professionals. This annual summit will convene healthcare professional bodies, legal professionals, academics, medico-legal professionals, insurance companies, specialist medical professionals in a bid to respond to the imminent dangers posed by the rising costs of medical litigation.
DAY ONE  REGISTRATION TIME: 08.00

08.30 The Rise of Medical-Negligence Lawsuits in South Africa.
- Why the sudden rise of medico-legal cases in the country?
- The different between reactive and proactive behaviour on the part of doctors
- How to take preventative measures against a lawsuit being brought.
- The misunderstandings that often arise between attorney and doctor and the roles that are fulfilled by both professionals.

Peta-Anne Durrant, Healthcare Attorney, Elsabe Consulting

09.20 Medical and Legal Ethics and their Impact on Health Care Delivery
- Ethical behaviour and conduct of medical and legal practitioners
- Functionality of systems to impact healthcare delivery

Johan Crouse, Managing Director, RFMCF, Senior Medico-Legal Expert and Medical Ethics

10.15 Mid - Morning Break

10.45 Patient Safety in Medico-Legal Considerations
- Barriers and difficulties in clinical practices
- How relevant is patient safety on medico-legal considerations?
- Case studies on clinical practice challenges to patient safety
- Execution of legal and ethical rules

Dr & Adv Stefanus Smit, University of Pretoria

12.00 The Medico -Legal Pitfalls in Claims Against The State
- Introduction: for a medical expert witness many pitfalls are encountered, making the defence of claims against the State very difficult and thus easy for the plaintiffs and their legal teams. These pitfalls must be identified and curbed.
- Discussion: Underlying factors that need to be addressed. These factors can be State hospital factors, medical staff factors, patient factors and lawyer and medical expert factors. Illustrative case studies: Some case studies to highlight the discussion points will be given and also lessons learnt to be highlighted. Speaker-audience interaction.
- Recommendation: medico-legal reform must be implemented and must be medically case driven and not dictated by legal professionals. This must follow international measures taken in other countries like Australia, Great Britain and some states in the USA.

Dr G.M. Scharf, MBChB, MMed(Surg) FCS(SA); LLB; LLM, General Surgeon (Private Practice and University of Pretoria Consultant).

13.00 Lunch Break and Networking Session

14.00 Overview of the Impact of Medical Fraternity on RAF Claim Processing
- Cost of medical expenditure by the RAF
- Challenges experienced by the RAF in making injury assessments and the impact on claim processing
- Administration of RAF Undertakings
- Partnership between the RAF and HPCSA and benefits (HPCSA Road Accident Fund Tribunal)
- The future: RABS

Mr Tshepo Mahlare, Senior Legal Adviser, Road Accident Fund

15.00 Mid Afternoon Tea Break

The Role Of Healthcare Professional Bodies in Medico - Legal Cases
The presentation will focus on the strategic role organized healthcare bodies like SAMA, HPCSA & SA-Medico-Legal Society can play in mitigating the effects of medico-legal challenges in South Africa.

Julian Botha, Senior Legal Adviser, South African Medical Association

16.00 Close of Day 1

DAY TWO  REGISTRATION TIME: 08.00

08.30 Medico-Legal Litigation - Psychosocial Consequences for Victims and Loved Ones
- Behind the “firing lines” of the Court Room and after the establishment of the merits of a matter, people, families and victims remain.
- There are a multiplicity of psychological, neuropsychological, communicative and activities of daily living which impede the life of the victims as well as their families.
- Insight will be provided as to why claims can be as large as they are - with specific reference to medical negligence pertinent to Retinopathy of Prematurity (ROP) cases
- What support structures need to be provided for victims?
- What fundamental changes do families need to endure?
- ROP - implications for schooling, tertiary and/or practical education and the potential of functionally blind persons on the open labour market

Kevin Jooste, Psycho-Legal/ Medico-Legal Practitioner, Louis Linde Incorporated

10.00 Mid - Morning Break

10.30 Key Drivers Attributed to the Rise of Medico-Legal Cases in South Africa
- Identifiable key drivers of medico-legal cases in the South Africa
- The historical background and what has changed
- Effect of medico-legal claims on both private and public health sector
- How can the health department arrest this phenomenon?

Arvitha Doodnath, Senior Legal Researcher, Helen Suzman Foundation; Director, Doodnath & Associates

11.15 Access to Justice and Fair Compensation
André Calitz will share insights on how, in an era of increasing litigation against medical practitioners, people can access justice and fair compensation without putting severe strain on the country’s healthcare system.

André Calitz, COO, Josephs Inc, Medical Malpractice Attorneys

12.00 Medical and Legal Ethics and Their Impact on Healthcare
The presentation will consider ethical and legal interplays in what constitutes autonomous decision making in cases involving minors. The aim will be to show what the current ethical principles dictate and how this is to be interpreted in light of current legislation and precedent.

Christian Pieters, Legal Researcher, Helen Suzman Foundation

13.00 Lunch Break and Networking Session

14.00 Access to Education to Medical Professionals Regarding Medical Negligence Malpractice
- What is the difference between professional negligence and medical negligence?
- What medical malpractice.
- Structures and curriculums that can remedy the high rate of claims
- What is doctor patient relationship?
- The difference between medical law and ethics.
- Legal concepts that doctors must be informed about.
- Effect of having medical professionals that are informed about health and the law.
- How to fund the education of health professionals and the structures that must be put in place to make health professional have access to medical law.
- Access to developments in medical law.

Dr Martha Phahladira, General Practitioner & Member of the Medical-Legal Society

15.00 Mid Afternoon Tea Break

15.15 Impact of Medico-Legal Cases on Staff Morale
Discussion: The focus of the discussion will be on employment and contractual relationships as a factor of staff morale. The speaker will seek to give some insight into what a contract (full time or locum) means in law and what one’s general views should be when engaged in rendering services. The aim is to provide some certainty in these times of litigious tsunamis.

Christian Pieters, Legal Researcher, Helen Suzman Foundation

16.00 End Of Programme
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