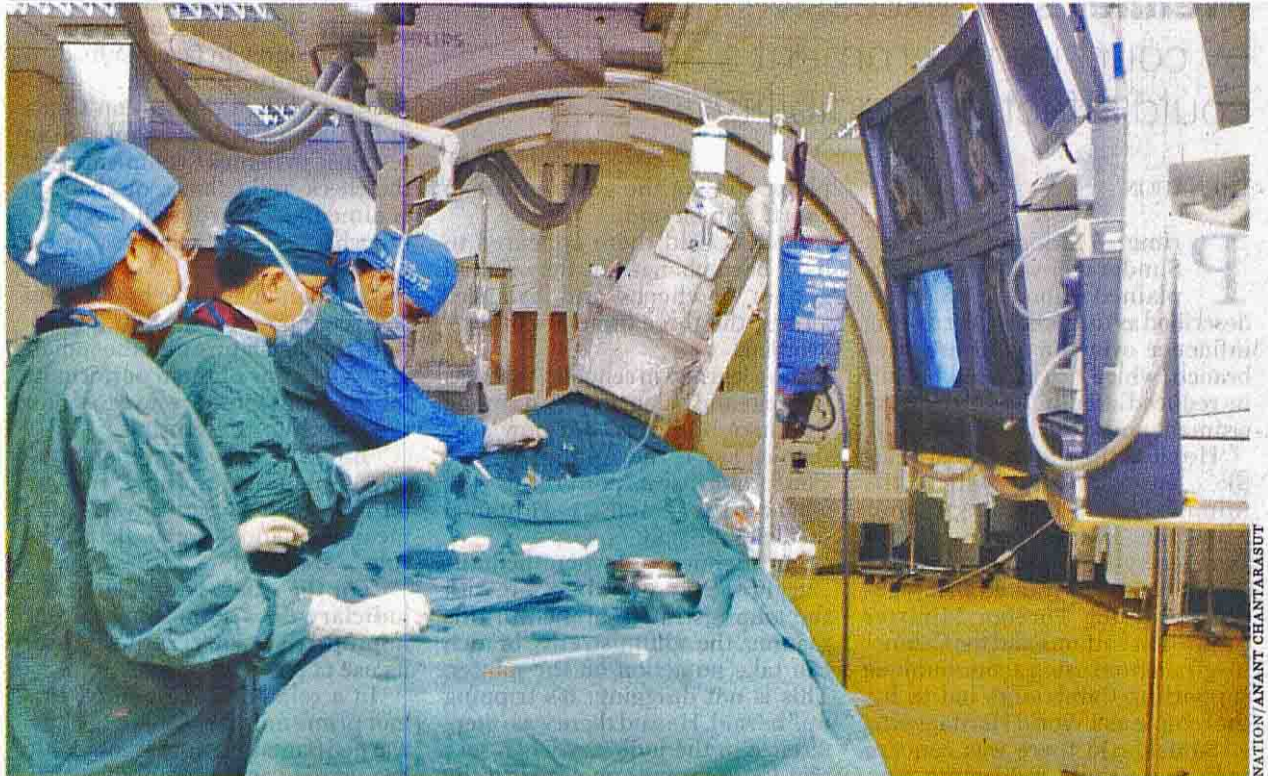


MEDICAL ERRORS

**COMPENSATION
CLAIMS RISING
EVERY YEAR**

NATION/ANANT CHANTARASUT

THE 2002 National Health Security Act provides financial support to victims of medical error due to mistakes by doctors.

Experts deny any decline in quality of treatment

PENNAPA HONGTHONG
THE NATION

The number of patients seeking compensation for medical errors has been rising every year since the National Health Security Act was passed in 2002, but public health experts say there is no cause for fears about a decline in the quality of the treatment.

Dr Prateep Thanakijchareon, deputy secretary of the National Health Security Office (NHSO), said his office had spent more than Bt151 million to compensate a total of 1,450 patients since 2002.

Based on the idea that doctors

could unwittingly make mistakes, the National Health Security Act allows for financial support to the victims under a no-fault system for the doctors. Article 41 provides for compensation for the victims from the NHSO to ease the difficulties they face due to mistreatment.

The law covers only patients under the universal health scheme.

As of June 30, this year, the NHSO had received a total of 1,757 complaints but approved only 1,450 cases for compensation.

The number of complaints has increased steadily, from only 99 in 2004 to 221 in 2005 and 511 last year. The NHSO received 483 complaints from victims of medical errors in just the first six months of this year. The majority of complaints are from women who faced problems while delivering their babies.

Pongpisuth Jong-udomsak, director of the Health System Research

Institute (HSRI), said the public should not worry about the rising number of complaints as it does not reflect the quality of medical treatment in the country.

"The increasing number of complaints only shows us that more people are learning about the compensation under the law and are exercising their rights," he said.

He expected the number of complaints to the NHSO to rise for some years. According to Pongpisuth, Article 41 has brought into the spotlight a problem in the country's health system that once was hidden.

"Medical error happens in every health system and it existed in our country, but we didn't want to talk about it," he said, adding that in the past doctors might have feared being held accountable for errors in which they were involved unwittingly.

Article 41 was part of an attempt by the Public Health Ministry to resolve the conflict between doctors and patients over unpleasant results from treatments. While NHSO shoulders the burden of taking care of victims, the Institute of Hospital Quality Improvement and Accreditation is responsible for improving quality of hospitals and reducing the risks to patients.

Meanwhile, a new law is in process to provide compensation to victims of medical errors who are not covered by the universal health scheme. The Medical Malpractice Victims Fund Bill has been drawn up and is currently with the Council of State, waiting to be proposed to Parliament. If passed, the law will entitle all patients to compensation for mistakes in treatment.