

course fees
RM2500

CERTIFICATE OF MEDICAL LAW & PRACTICE

KEY HIGHLIGHTS

- ▶ A doctor's perspective
- ▶ Interactive sessions
- ▶ Case studies
- ▶ Current legal landscape from practicing lawyers involved in medico legal cases

This course aims to provide you with an overview of the main medico-legal concepts and issues in the practice of modern healthcare in Malaysia. It addresses the fundamental questions affecting health care and allied professionals today.

WHO SHOULD ATTEND?

- Doctors
- Nurses
- Hospital Administrators
- Other healthcare providers
- Lawyers interested in MedicoLegal
- Law students interested in Medico Legal

WHY ATTEND?

- To understand the current medico legal landscape in Malaysia
- To identify risks of medicolegal cases
- To equip yourself to deal with medico legal complaints
- To be prepared to deal with patients and their queries

SCHEDULE

Saturday & Sunday 10:00am - 1:00pm

MAR 19 SESSION 1	Introduction To Medical Law
SESSION 2	Negligent Acts & Omissions In Clinical Practice In Malaysia
MAR 20 SESSION 3	Dr-Patient Communication: Obtaining Patient Consent In Malaysia
SESSION 4	Confidentiality In Clinical Practice: Legal Aspects In Malaysia
MAR 26 SESSION 5	Introduction To The Medical Council's Disciplinary Process & The Litigation Process
SESSION 6	Dr-Patient Communication: Disclosure Standards In Malaysia
MAR 27 SESSION 7	Recent Developments In Healthcare & Medical Law In Malaysia
	Wrap Up & Q&A

* Course materials will be provided via email link a week before class

COURSE FACILITATORS



**RAJA EILEEN SORAYA
BINTI RAJA AMAN**



**AMBIGA
SACHITHANATHAN**



**DR. GANESHWARA
DURAI RAJA LINGAM**



**PRIYANKA
SIVANATH**

FACILITATORS



Raja Eileen Soraya practices in the area of civil and commercial litigation and her work includes tortious and contractual claims both in the courts and in arbitration. She has appeared as counsel in the superior courts in Malaysia and has many reported cases in the law journals. Currently focusing on medico-legal and dento-legal cases as well as reputational management and media law, Eileen contributed to the Malaysian Annotated Statutes on the Defamation Act 1957 and the Sedition Act 1948 published by LexisNexis and to the Defamation chapter of the Malaysia in Atkin's Court Forms.



Ambiga commenced her legal practice as a litigator with a large portion of her practice dedicated to medico-legal and thereafter focused on corporate commercial work which included advisory work in relation to hospitals. She is also an adjunct lecturer with Monash Malaysia, teaching medical law in the medical faculty.



Dr Ganesh is an interventional radiologist with 16 years experience in the government sector. A team player and a patient centric practitioner with good clinical acumen and proven track record in providing care for patients.



Priyanka is a litigator in a top tier firm in Malaysia. She has a wealth of experience in medico legal cases and other areas of practice such as employment, and labour law. She has been involved in many civil and commercial dispute matters in court. Priyanka was recognized in Benchmark Litigation Asia Pacific 2019.

COURSE OUTLINE

Session 1: Introduction to Medical Law

- Assumes no previous knowledge of the subject
- An engaging and accessible account of the main principles of medical law
- Understand the distinction between criminal law and civil law in a health care context

Session 2: Negligent Acts and Omissions in Clinical Practice in Malaysia

- Identify the key elements of a claim in negligence arising out of acts and omissions in clinical practice.
- Understand how courts determine the reasonable standard of care in medicine and its approach when it is dealing with varying levels of skill and expertise.
- Understand the law of negligence as applied in Malaysia in relation to diagnosis, warning of risks and treatment.

Session 3: Dr-Patient Communication: Obtaining Patient Consent In Malaysia

- Patient Autonomy
- Identify key components of valid legal consent, and its application in Malaysia.
- Understand circumstances in which a medical practitioner is not legally obliged to obtain patient consent.
- Perspectives from a doctor and a legal practitioner.

Session 4: Confidentially In Clinical Practice: Legal Aspects In Malaysia

- Identifying the legal basis of the duty of confidentiality in English common law and its application in Malaysia.
- Understand circumstances in which modifications of legal obligation of confidence are permitted and its application in Malaysia.
- Evaluate the law in relation to the legal obligation of confidence in Malaysia.
- Identify the concept of access to medical records in Malaysia.
- * Case Study: Examine Recent Cases: 30mins

Session 5: Introduction to the Medical Council's Disciplinary process & the Litigation Process

- What is the Malaysian Medical Council (MMC)
- The role and the disciplinary function of the MMC in regulating medical practitioners
- The perspective of a legal adviser to Disciplinary Committees.
- How the process of litigation proceeds in a medical malpractice case?
- The Process of Trial
- Experts

Session 6: Dr-Patient Communication-Disclosure Standards In Malaysia

- Identify and understand the key elements of a common law negligence action concerning information disclosure.
- Examine the different approach taken in Malaysia in relation to disclosure standards.
- Explain in what circumstances doctors may legally withhold information concerning risks associated with proposed medical treatment.
- Understand the provisions in professional guidelines issued by relevant medical bodies i.e. MMC Guidelines

Session 7: Recent Developments in Healthcare and Medical Law in Malaysia

- Overview of the current landscape of Medical Law in Malaysia
- Recent Medico Legal landmark decisions