

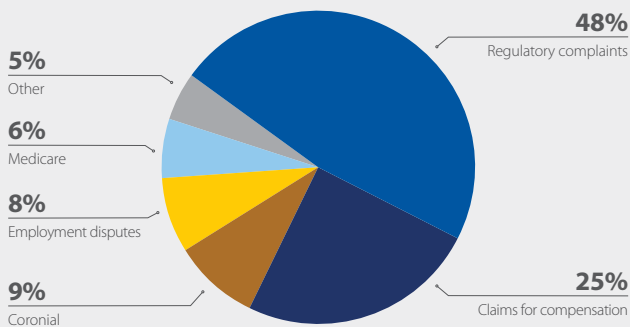
Claims and complaints insights

Gastroenterologists



1 in 11 Avant gastroenterologist members had a matter raised about the provision of their care in FY2019-20. Compensation claims and regulatory complaints made up the majority of matters.

Allegations are sometimes made against doctors even in situations when they provided appropriate care. Avant assists gastroenterologists with the following types of matters*:



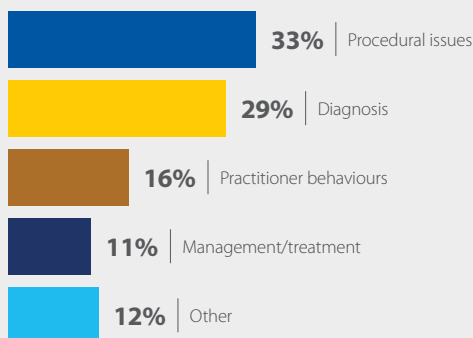
*Data source: matters indemnified over the four-year period from July 2016 to June 2020.

Our data analysis

The following retrospective review is of routinely collected and coded data. Our review is based on approximately 140 claims and complaints involving Avant gastroenterologist members nation-wide, closed over the four-year period from July 2016 to June 2020.

Common claims and complaints

Compensation claims and regulatory complaints primarily related to:



Types of procedures (claims about procedural issues)

The procedures most commonly associated with these claims were:

- Colonoscopy with excision/biopsy (e.g. colonoscopy to the caecum with polypectomy).
- Colonoscopy without excision/biopsy.
- Panendoscopy with or without excision/biopsy.

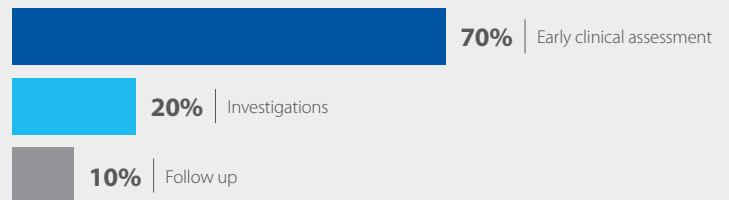
Stage of care (claims about procedural issues)

Procedural issues occurred during the following stages of care:



Diagnosis

29% of claims and complaints related to diagnosis issues. Of these, 70% involved early clinical assessment issues, including failure to refer for appropriate diagnostic testing or inadequate examination.



Over half of diagnosis related claims and complaints were associated with malignant neoplasms.

Practitioner behaviours and management/treatment

- 16% of claims and complaints related to practitioner behaviours, including communication with patients.
- 11% of claims and complaints related to management/treatment issues, including concerns about treatment plans.

Are doctors meeting standards?

When a medico-legal evaluation of expected standards of care was conducted, the doctor was considered to have met the standard in over two thirds of cases.



Key points

- 1 in 11 gastroenterologist members had a medico-legal matter in FY2019-20.
- Procedural issues and diagnosis issues were the most common types of allegation in complaints and claims.
- In most cases, gastroenterologists were considered to have met the expected standard of care.

Resources

If you receive a claim or complaint, [contact us](#) on **1800 128 268** for expert medico-legal advice on how to respond – available 24/7 in emergencies.

For more information on communicating with patients and a wide range of other topics, visit the **Avant Learning Centre** where you will find articles, case studies, podcasts, webinars, videos, factsheets and many other resources.

Glossary

- Claims refers to claims for money, compensation and civil claims.
- Complaints relates to formal complaints to regulators.
- Matters include: claims, complaints, coronial cases and other matters such as employment disputes and Medicare.
- Employment disputes are matters where Avant defends members against complaints or supports members to resolve employment issues.

For any queries on this analysis, please contact us at research@avant.org.au

*IMPORTANT: Avant routinely codes information collected in the course of assisting member doctors in medico-legal matters into a standardised, deidentified dataset. This retrospective analysis was conducted using this dataset. The findings represent the experience of these doctors in the period of time specified, which may not reflect the experience of all doctors in Australia. This publication is not comprehensive and does not constitute legal or medical advice. You should seek legal or other professional advice before relying on any content, and practise proper clinical decision-making with regard to the individual circumstances. Persons implementing any recommendations contained in this publication must exercise their own independent skill or judgement or seek appropriate professional advice relevant to their own particular practice. Compliance with any recommendations will not in any way guarantee discharge of the duty of care owed to patients and others coming into contact with the health professional or practice. Avant is not responsible to you or anyone else for any loss suffered in connection with the use of this information. Information is only current at the date initially published [June 2021]. © Avant Mutual Group Limited 2021. MJN-746 06/21 (DT-1968)

For more information or immediate **medico-legal advice**, call us on **1800 128 268**, 24/7 in emergencies.