

Otolaryngologists (head and neck surgeons)

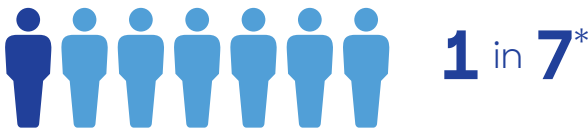
Overview

- More than half of claims and complaints related to procedural/surgical issues. Other concerns involved diagnosis and practitioner behaviour.
- The predominant issue was surgical performance, skill or competence, with allegations of poor functional outcome and/or poor appearance as a result.
- Another common issue was inappropriate selection of procedure including allegations of unnecessary surgery.
- In more than two-thirds of claims and complaints, surgeons were found to have met the standard of care.

Practice points

- Claims and complaints are frequently driven by outcomes that don't meet patients' expectations, such as ongoing symptoms, complications or unsatisfactory appearance.
- You can better manage patient expectations through good communication, a thorough consent process and by providing examples of realistic results.
- Explain alternatives including the option of not operating.
- Discuss the possibility that additional surgery (and cost) may be necessary if complications arise or if the procedure does not achieve the expected outcome.
- Document your discussions.

Incidence and breakdown by type of matter are based on all matters indemnified by Avant for otolaryngologist members from FY2019-23. Underlying themes and assessment of care are based on Avant claims and complaints closed during the period FY2019-23.

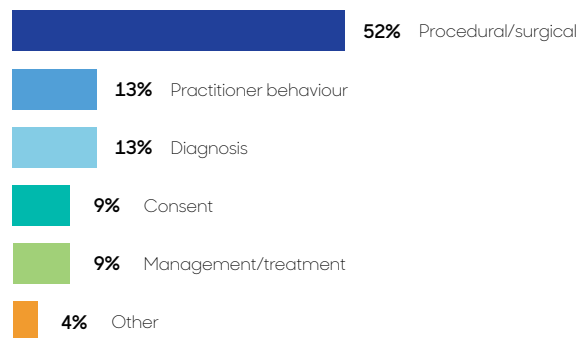


Avant otolaryngologists had a medico-legal matter raised about the provision of their care, each year.

The types of matters included regulatory complaints (53%), claims for compensation (36%), employment disputes (5%) and other matters (7%).

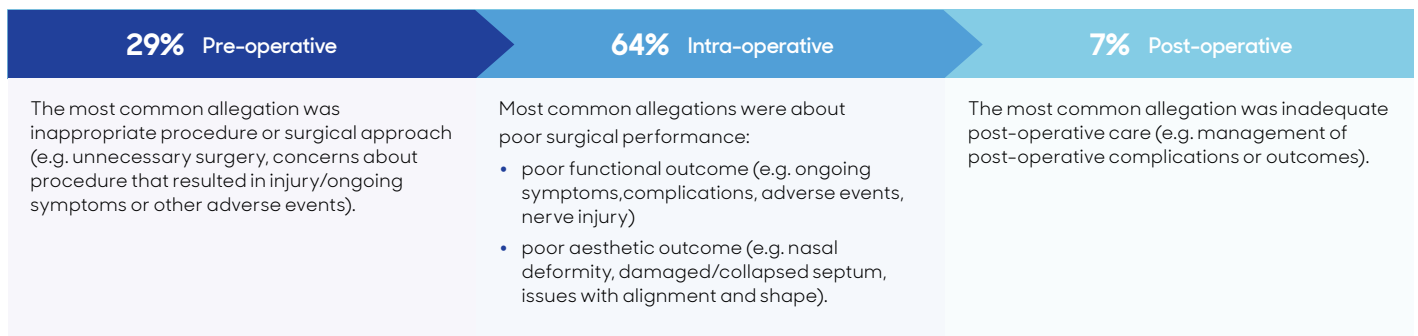
*Five-year average
Percentages may not total 100 due to rounding.

Main issue addressed in claims and complaints



Procedural/surgical

The stage of care relating to procedural/surgical claims and complaints was:



The most common procedures involved in procedural/surgical claims were septoplasty, rhinoplasty, tonsillectomy and adenoidectomy.

Diagnosis and practitioner behaviour

13% of claims and complaints were about diagnostic issues, commonly involving neoplasms. Most of these were from the initial clinical assessment phase and included allegations of inadequate examination or failure to refer for appropriate diagnostic testing.

A similar number of claims and complaints (13%) related to practitioner behaviour with the most common issues about communication and doctor's health impairment.

Assessment of the care provided

Experts and/or regulators assessed the care provided and found:



(% of complaints/claims where the assessment of the expected standards on the main factor is known)

Our data

This retrospective review is of routinely collected and coded data and is based on matters involving Avant otolaryngologist members from across Australia.

Glossary

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

Medico-legal advice

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



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