

Plastic, reconstructive and cosmetic surgeons

Overview

- Most claims and complaints related to procedural/surgical issues (72%) followed by consent issues (13%).
- The predominant issue was related to surgical performance, skill, or competence due to outcomes such as deformity or problems with symmetry, size, shape or texture.
- Almost half of the claims and complaints in procedural/surgical claims were about breast procedures, and more than a third were about skin, general plastic and cosmetic procedures.
- The claims and complaints analysed here relate to treatment provided before the introduction of the Medical Board's cosmetic surgery guidelines on 1 July 2023.

Practice points

- Patient dissatisfaction with the outcome and their appearance post-procedure drives claims and complaints.
- This highlights the importance of carefully managing patient expectations through good communication, providing examples of realistic results, a thorough consent process and clear documentation.
- In almost 60% of claims and complaints, surgeons were found to have met the standard of care.
- All doctors performing cosmetic surgery are expected to comply with the Medical Board of Australia's [guidelines for performing cosmetic surgery and advertising cosmetic surgery](#).

Incidence and breakdown by type of matter are based on all matters indemnified by Avant for plastic, reconstructive and cosmetic surgeons from FY2019–23. Underlying themes and assessment of care are based on Avant claims and complaints closed during the period FY2019–23.

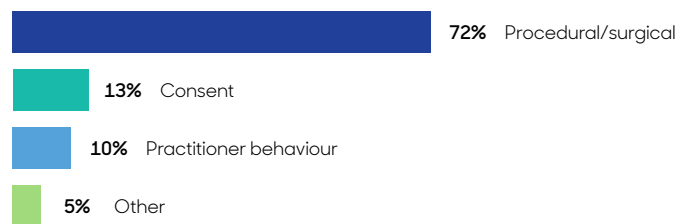


Avant plastic, reconstructive and cosmetic surgeon members had a medico-legal matter raised about the provision of their care, each year.

The types of matters included claims for compensation (49%), regulatory complaints (41%), employment disputes (4%) and other matters (5%).

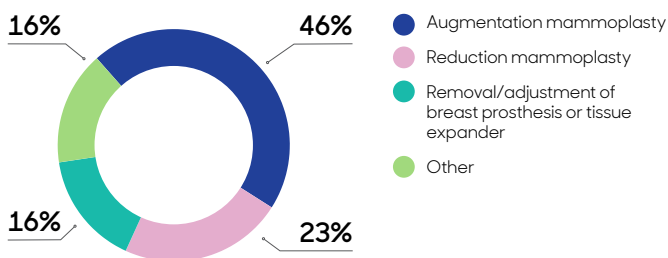
*Five-year average
Percentages may not total 100 due to rounding.

Types of compensation claims and regulatory complaints



Procedural/surgical issues

Of all procedural/surgical claims and complaints, **49% were for breast procedures** and **36% were for skin, general plastic and cosmetic procedures**, with the following breakdown:

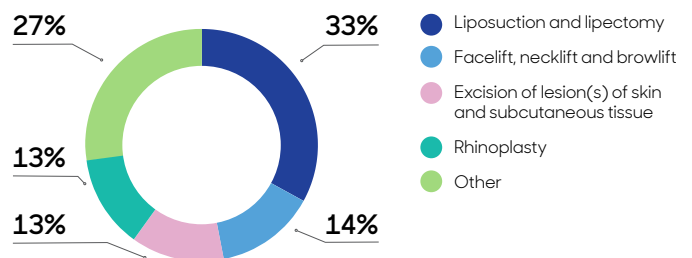


(% of total breast procedures)

Breast procedures

Most common issues were:

- allegations of poor surgical performance, skill or competence (e.g. breast deformity, issues with outcome such as in the symmetry/size/shape/texture of breasts, post-operative complications)
- allegations of improper selection, misuse or insertion of implants (e.g. issues with the outcome in relation to the implant such as its symmetry/size/shape/texture).



(% of total skin/general plastic/cosmetic procedures)

Skin, general plastic and cosmetic procedures

Most common issue was:

- allegations of poor surgical performance, skill or competence (e.g. disfigurement, issues with outcome such as in its symmetry/shape/texture, post-operative complications).

Consent issues

Consent issues account for 1.3% of claims and complaints. The most common allegations included risks not adequately discussed or that a clear explanation of the procedure or treatment was not provided.

Assessment of the care provided

Experts and/or regulators assessed the care provided, with the following results:



(% 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 plastic, reconstructive and cosmetic surgeon members from across Australia. The analysis excludes cosmetic practitioners not followed with RACS.

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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