

Claims and complaints insights

Urologists

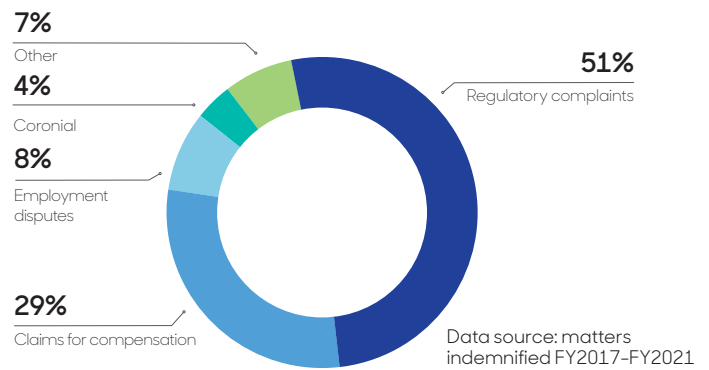


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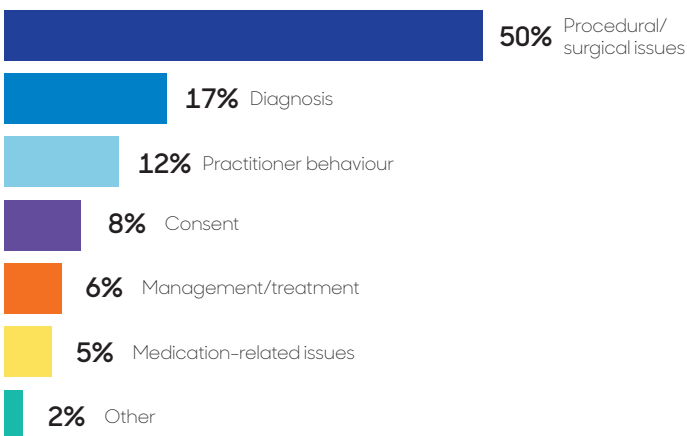
Avant urologist members had a matter raised about the provision of their care in FY2021.

Data source: matters indemnified in FY2021.

The majority of medico-legal matters against urologists were **regulatory complaints** and **claims for compensation**.



Claims and complaints against urologists related to:



Procedural/surgical-related allegations

62% of procedural/surgical-related allegations arose with prostate (30%), kidney (18%) and bladder (14%) surgeries.

Most common were procedures for:

- Hyperplasia of the prostate
- Malignant neoplasm of the prostate
- Calculus of the kidney and ureter
- Malignant neoplasm of the kidney

Diagnosis-related allegations

72% of diagnosis-related allegations involved malignant neoplasms.

These cases related to a delayed diagnosis or a misdiagnosis. Most frequent sites and types were:

- Malignant neoplasm of the prostate
- Malignant neoplasm of the bladder

The stage of care during which procedural/surgical issues occurred

15% **Pre-operative**
(e.g. allegations of improper selection of procedure/surgery/surgical approach)

59% **Intra-operative**
(e.g. allegations of poor surgical performance/skill/competence)

26% **Post-operative**
(e.g. allegations of delay/failure to diagnose complication; poor post-operative performance; delay in revision procedure)

Complaints: Outcomes for Urologists

2% **Medium/high severity**
(e.g. reprimand, conditions)

20% **Low severity**
(e.g. caution, resolution)

78% **Dismissed**
(e.g. discontinued)

Note: Cases often incur significant legal costs and can take years to resolve. This includes cases that have been dismissed.

Key points

- The two most common reasons for claims and complaints were procedural/surgical and diagnosis-related issues.
- The majority of procedural/surgical-related allegations involved prostate, kidney and bladder surgeries.
- Most diagnosis-related allegations involved neoplasms.
- The majority of complaints against urologists were dismissed.

Notes on the outcomes analysis

This analysis was conducted on regulatory complaints filed against urologists over the five-year period from July 2016 to June 2021 (FY2017-FY2021). Only complaints with a known outcome were included.

The outcomes were classified based on the degree of severity for members. Shown below are some of the types of outcomes in each category.

- **Dismissed** – e.g. discontinued, no further action
- **Low severity** – e.g. counselled, caution, conciliation, resolution, fine
- **Medium and high severity** – e.g. reprimand, conditions, registration changes, suspension, cancellation

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.
- **Medicare matters** include Medicare investigations and audits.

Resources

If you receive a claim or complaint, contact us (avant.org.au/MLAS) 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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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 2022]. © Avant Mutual Group Limited 2022. MJN-904 06/22 (DT-2417)