



Birth Injury Due To Medical Malpractice



References

1. Eisenberg, Arlene et al. What to Expect When You're Expecting. NY: Workman, 1996. P.285.
2. Eason, E. and Feldman, P. "Much Ado about a Little Cut: Is Episiotomy Worthwhile?" Ob/Gyn 95 (4):616-8. April 2000.
3. Bowes, Watson. "Should Routine Episiotomy be Performed Routinely in Primiparous Women?" Ob/Gyn Forum 5, No. 4 (1991):1-4.
4. Wagner, Marsden. Pursuing the Birth Machine: The Search for Appropriate Birth Technology (Camperdown, South Wales, Australia: Ace Graphics, 1994), 165-174.
5. Robinson, JN et al. "Predictors of Episiotomy at First Spontaneous Vaginal Delivery." Obstetrics and Gynecology. 96(2): 214-18, Aug. 2000.
6. Otigbah, CM et al. "A Retrospective Comparison of Water Births and Conventional Vaginal Deliveries." European Journal of Obst/Gyn & Reproductive Biology. 91(1):15-20, July 2000.
7. Labrecque, M. et al. "Randomized Trial of Perineal Massage During Pregnancy." Am J Obst/Gyn. 182(1 pt. 1): 76-80, Jan. 2000.
8. Aikins-Murphy P. and JB Feinland. "Perineal Outcomes in a Home Birth Setting." Birth. 25(4):226-34, Dec. 1998.
9. Nodine PM and Roberts J. Factors associated with perineal outcome during childbirth. J Nurse Midwifery 1987 May-June;32(3):123-130.

Abstract:

The aim of our study was to explore if birth injury occurred due to negligence involve a doctor and other health care professional performing a birthing technique unnecessarily or inappropriately in such a way that causes damage to the newborn .

Key words:

Medical malpractice

Birth Injury .

Introduction:

Medical Malpractice or Medical Negligence is when injury or death occurs as a direct result of the failure of a physician or other health care provider (hospital, nurse, obstetrician, nursing home, anesthesiologist, pharmacist) to properly treat a medical condition. The injury or death caused by the negligence may be either a new condition or an aggravated injury to the patient. A doctor cannot be held responsible if the underlying medical problem was the cause of the death or injury. Many situations result in medical malpractice or negligence cases and it is important to remember that not all medical situations that end badly are the cause of malpractice.

Case history

Unfortunately, medical error occur in one of the governmental hospital in west bank when the junior doctor tried to deliver a young woman forcibly which lead to the separation of the baby head from the chest . Medical malpractice occurs when a physician fails to use adequate levels of care, skill or diligence in the performance of his professional duties which causes harm to another. Medical malpractice typically occurs when the doctor fails to exercise his professional skills using acceptable standard of care, skill and education employed by the average prudent member of the medical community.

Autopsy Finding & Discussion:

The evidence that junior doctor are being left alone to deal with potentially dangerous deliveries, because of a lack of consultant cover, and that doctors and midwives frequently fail to interpret monitoring devices correctly, endangering mothers and babies. The baby head was completely separated from the chest, which indicates negligence, and harm occurred. Childbirth is a very risky medical procedure. The risk of a poor outcome for mother or child is high relative to many other medical procedures. Poor outcomes that can result from childbirth include fetal death, the poor outcome may have made the doctor to enhance episiotomy in order to facilitate the delivery not using a forceful vacuum for extraction, which leads to a dangerous mistakes . Medical negligence being the cause of childbirth injury when a doctor and other medical professional performs an unreasonably rough, traumatic, or unnecessary procedure which might include vacuum extraction, forceps delivery. Childbirth injury can result from any of these procedures, particularly when they are performed unnecessarily or inappropriately. Medical negligence is responsible for childbirth injury, the family of the victim has the legal right to seek compensation for the died baby they suffered as a result of the child birth injury.



Prof. Dr. Jalal Al-Jabiri, MD, PhD,
Vice chairman of the Academic
Palestinian Association .
Email : jal51al@yahoo.com

SAFCON – 2007
Indian Congress Of Forensic
Medicine & Toxicology
March 24-25 ,2007



(1) The Newborn



(2) Birth Injury



(3) Separated Head