Automatic redress plan mulled for victims of medical malpractice

Kyodo

The government will consider creating a program in which compensation will automatically be paid to patients involved in medical accidents regardless of doctor liability, government sources said.

The program would aim to provide swift aid to victims or their families in place of often drawn-out and complex litigations, the sources said.

It would also lessen the burden on doctors accused of malpractice, they said, adding the government plans to set up a panel of doctors and lawyers, possibly this summer, to begin discussing the necessary legislation.

Patients and others who have been involved in medical accidents say, however, that while speedy redress is welcome, not holding doctors responsible for their actions could encourage shoddy medical practice.

The panel is therefore expected to consider ways to look into the causes of medical accidents and police investigations, to which medical professionals have expressed strong aversion, the sources said.

The biggest obstacle is where the money for compensation would come from. Possible funding sources include contributions from medical institutions, added premiums in medical insurance and taxpayers' money.

A compensation program for child deliveries began in 2009 in which a total of ¥30 million will be automatically paid if a baby is born with severe cerebral palsy.

In 2010, 794 malpractice lawsuits were filed across Japan, according to the Supreme Court, while 141 alleged malpractice cases were reported to the police, according to
the National Police Agency.

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