



#ESAGeneva: Nothing to Fear for Good Samaritan Doctors



At this year's Euroanaesthesia Congress, experts looked at what can happen when doctors are called on to help with a medical emergency. They believe that as long as the doctors do their best in such situations, it is unlikely that any legal action can be taken against them.

The talk titled "Good Samaritan laws in Europe and their implications for doctors" by Dr Adam Sandell highlighted the fact that legal actions are rarely undertaken against doctors who in good faith, come to the aid of someone in distress. He also discussed that geographic laws may also play a role in this scenario. For example if somebody requires assistance in a plane, the law in most continental European countries requires doctors to assist them. But laws in England, Wales and the Republic of Ireland do not have any such legal requirement.

However, most doctors are trained to help. They have a professional code of conduct that will prompt them to offer assistance in an emergency. If things don't work out for the patient in question and if the patient's family sues the doctor for being a good Samaritan, it is very unlikely that they will be successful.

Dr Sandell says, "in principle the patient or their family could sue. However, most countries have significant protections for people who offer assistance in good faith in emergencies and who aren't grossly negligent. This is born out in practice: successful claims against doctors who have offered help in good faith in an emergency of this nature are practically unheard of. So any doctor who doesn't do something very stupid indeed can be confident of not being sued."

Dr Sandell also points out that any intelligent doctor would have medical insurance that would cover Good Samaritan acts worldwide. In cases that go wrong in situations such as the plane for e.g., the airline can also be held liable for requesting the doctor's assistance.

During these good Samaritan acts, doctors should not ask for a fee and should do all that they can, to the best of their ability, to help the person in distress. However, if they are retired or not qualified to practice in a particular jurisdiction, they should say so in order to avoid any complications in the future.

Source: [ESA](#)

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