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**RESULTS OF ANALYSIS OF COMMISSION FORENSIC EXAMINATIONS IN  
ZAKARPATSKA REGIONAL BUREAU FME ON FACT IMPROPER  
PERFORMANCE OF PROFESSIONAL DUTIES OF MEDICAL WORKERS**

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The quality of health care is relevant, but is still an unsolved problem in Ukraine, and its solution involves many components, including forensic experts estimate of commission expert forensic medical examination. The reason for the difficulty in determining a direct causal link between the actions (or inaction) of the doctor and negative consequences for the health of the patient is, above all, the lack of methodological approaches and common forensic evaluation criteria of quality of care.

The aim of this study was to identify errors in the provision of health care, by analyzing commission forensic medical examinations in Zakarpatska Regional Bureau of forensic examinations.

Research materials were forensic examinations of the commission department of Zakarpatska Regional Bureau of forensic examinations for 2010-2014, the affairs concerning the quality of care.

The data were subject to statistical analysis by standard methods of descriptive statistics through programs BIostat. Statistical analysis included calculation of primary statistical indicators (mean and standard error (M)).

In the statistical analysis of the examination conducted in the department of commission examinations of bureau was found, that the total number of all examinations increased from  $2 \pm 0,53\%$  in 2010 to  $6 \pm 0,53\%$  in 2014. However, the largest share expertise on "Doctoring"

observed by obstetric and intensive care specialty - 4 cases ( $22,1\% \pm 2,13$ ). If we compare the ratio of expertise on "Doctoring" with different specialties in different years, we can say, that compared to 2010 and 2011 years, when the forensic examination were appointed only in respect of two specialties, starting with 2012, the number of specialties doctors, for which intended examination increased. Expert analysis showed that, according to expert opinions, the fact of improper exercise of professional health workers was confirmed not in all examinations. In 2010 and 2011, this fact was confirmed in all cases, and in subsequent years this number increased from  $66,7 \pm 0,5\%$  in 2012 to  $83,3 \pm 2\%$  in 2014. However, during the examination fact improper exercise of professional health workers for obstetrics-gynecology was confirmed in 100% of cases. As for the cases in intensive care, therapeutic and surgical wards, the fact of improper exercise of professional health workers in each of these confirmed, according to the conclusions of experts only in 50% of cases, among doctor of other specialties, the fact improper exercise of professional health workers has not been confirmed in any case.

If we'll distribute all errors on main, we can say the following: medical; diagnostic; organizational. Obstetricians and gynecologists committed the following errors: 1. inadequate surveillance of the



pregnant woman 2. the fetus and incorrectly chosen tactics of doctors - thus, in all cases, this led to the death of a newborn baby- diagnostic errors. In the intensive care department- started late treatment failure in therapy- late hospitalization and treatment, in surgery- incorrectly chosen treatment strategy. In general we can say, that among surgeons, internists and emergency physicians often detected errors regarding treatment. Obstetricians and gynecologists committed the following errors: inadequate surveillance of the pregnant woman and the fetus and incorrectly chosen tactics of doctors - thus, in all cases, this led to the death of a newborn baby- diagnostic errors. In the intensive care department- started late treatment failure in therapy- late hospitalization and treatment, in surgery- incorrectly chosen treatment strategy. In general we can say, that among surgeons, internists and emergency physicians often detected errors regarding treatment.

It is noteworthy that some regulations are not clearly specified facts, which commenced criminal proceedings. At the same time, the Criminal Code of Ukraine clearly identified articles: Article 139. "Failure to provide patient medical care by medical professional...", Article 140. "Improper performance of professional duties of medical or pharmaceutical worker..". Although this fact doesn't have direct impact on the quality of the examinations, but creates unnecessary

difficulties in resolving legal issues, because the court is guided purely relevant rules of the Criminal Code.

1. Dynamics of forensic examinations on "Doctoring" according to the commission department of Zakarpatska Regional Bureau of forensic examinations shows, that total number of all examinations increased from  $2 \pm 0,53\%$  in 2010 to  $6 \pm 0,53\%$  in 2014, and, since 2012, the number of medical specialties, for which intended examination, increased.

2. The largest share expertise on "Doctoring" observed by obstetric and intensive care specialty ( $22,1\% \pm 2,13$ ).

3. During conducting examinations the fact improper exercise of professional health workers for obstetrics-gynecology was confirmed in 100% of cases, in intensive care, therapeutic and surgical departments- in 50% of cases; among doctors of other professions the fact of improper performance their professional duties by medical personnel wasn't confirmed in any case.

4. Among surgeons, internists and emergency physicians often manifest error in relation to the treatment of patients, and among obstetricians- diagnostic errors.

5. Different versions of the wording of the regulations that are not in tune with the articles of the Criminal Code of Ukraine, which should start proceedings law enforcement, unduly burden to resolve legal issues.