

Decision of the Medical Board of Australia

Performance and Professional Standards Panel

Jurisdiction: Victoria

Date of hearing: 24 November 2011

Date of decision: 8 December 2011

Classification of Notification:

Clinical Care – Inadequate or inappropriate treatment

Communication – Disrespectful manner

A patient complained that during her initial consultation, her gynaecologist was rude and discourteous and failed to conduct a pelvic examination which was expected by the patient.

Allegations

The medical practitioner (a specialist gynaecologist) faced allegations that in an initial consultation with the patient, he was dismissive, rude and unprofessional and did not conduct a physical examination when this was indicated and reasonably expected.

Finding

The Panel found that there was insufficient evidence, or that the available evidence did not support the first allegation. However, the Panel found that the practitioner did not conduct a physical examination of the patient, which was clinically indicated according to an expert witness who advised that not conducting a pelvic examination may have been regarded as sub-optimal practice.

On the basis of those findings, the Panel decided that the practitioner engaged in unsatisfactory professional performance, in that the knowledge, skill or judgement possessed, or the care exercised by the practitioner was below the standard reasonably expected of a practitioner of an equivalent level of training or experience.

Determination

The Panel determined to caution the practitioner to be aware that an examination by a referring practitioner did not remove the need for a formal examination when a patient first presented for medical care.