

## Study of the Frequency of Medical Complaints against Ophthalmologists and their Associated Factors in Guilan Province from 2011 to 2019

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### ABSTRACT

Medical negligence means a failure to provide service or committing a mistake in planning and decision-making that causes an unwanted result. In fact, this term can be applied to any incorrect choice and failure of a treatment method to achieve a goal for the patient or deviation from medical care standards that causes harm to the patient. All complaint files against ophthalmologists in the forensic medicine commissions of Guilan Province from 2011 to 2019 were reviewed. Information including the gender of the complainant, the patient's gender, the patient's age, the patient's level of education, the patient's occupation, the patient's place of residence, the method of referral, the verdict issued, the percentage of negligence, the cause of negligence, the place of occurrence of the error, the place of filing the complaint, the injury that led to death, the error in the type of health care, the persons involved, and the ratio of the complainant to the patient were collected in a checklist prepared in advance by the researcher. According to the findings, in a total of 723 cases of total complaints registered, 32 members of the medical staff (general practitioners, specialists, and subspecialists) were involved, of which 3 (9.4%) were female and 29 (90.6%) were male. According to the findings, in 13 cases (54.1%) a specialist was involved and in 13 cases (45.9%) a subspecialist was involved. Out of 24 complaint cases, in 20 (83.3%) cases the decision was made that the ophthalmologists were not negligent. In our study, all complaints were due to the treatment method and none were due to the doctor's treatment or financial issues, which is contrary to previous studies. In this study, out of a total of 24 cases, only 2 cases resulted in death. In total, in 2 cases (8.4%) injury resulted in death. It was also observed in this study that in two cases that resulted in death, only ophthalmologists were not involved in these cases, and in one case (3 general practitioners, one cardiologist, one anesthesiologist, and one neurologist) were involved, and in another case (one anesthesiologist) was involved in the case.

**Keywords:** Medical Malpractice, Ophthalmology, Error

**Please cite this article as follows:** Zamani S I, Assar A, Niroomand Siahmard MA. Study of the frequency of medical complaints against ophthalmologists and their associated factors in Guilan Province from 2011 to 2019. J Iran Sci Asso Med Ethi.2025; 1(1): 47-50.



## Introduction

Medical negligence means a failure to provide service or to commit a wrong act in planning and decision-making that causes an unintended result. In fact, this term can be applied to any incorrect choice and failure of a treatment method to achieve a goal for a patient or deviation from the standards of medical care that causes harm to the patient (1).

Medical negligence occurs following improper treatment in the course of health care and includes errors in diagnosis, treatment planning, and patient management and administration (2). According to the Islamic Penal Code in the note to Article 336, medical negligence is divided into 4 categories: negligence, lack of skill, carelessness, and failure to comply with government regulations (3).

The consequences of medical negligence are very complex and can pass completely without complications or cause the death of a patient who was expected to have a high life expectancy (4). The most important causes of medical negligence include fatigue, stress, high workload, low skill, lack of coordination of the treatment team, and most importantly, insufficient medical knowledge (1, 5, 6).

Patient dissatisfaction, complaints, and claims against physicians for various reasons, including treatment and diagnostic errors, are important issues that have always been discussed in various parts of the healthcare system, and ophthalmology is of particular importance in this field due to the wide range of diseases, including many life-threatening causes (7).

Nowadays, ensuring patient safety and preventing medical errors and adverse events in healthcare centers is a very important and global

issue. The World Health Organization has listed patient safety as a top priority in healthcare systems (5).

A medical adverse event refers to a situation in which a physician, nurse, hospital, or health system plays a role in causing it and somehow causes harm to the patient. These events can be preventable or unpreventable. Among them, preventable cases are called medical errors (1,8).

## Materials and methods

All complaint files against ophthalmologists in the forensic medicine commissions of Guilan Province from 2011 to 2019 were reviewed. Information including the gender of the complainant, the patient's gender, the patient's age, the patient's level of education, the patient's occupation, the patient's place of residence, the method of referral, the verdict issued, the percentage of negligence, the cause of negligence, the place of occurrence of the error, the place of filing the complaint, the injury that led to death, the error in the type of health care, the persons involved, and the ratio of the complainant to the patient were collected in a checklist prepared in advance by the researcher.

## Results

Out of 723 complaint files referred to the forensic medicine commissions of Guilan province during the ten-year period from April 1, 2011 to April 1, 2013, a total of 24 complaint files met the inclusion and exclusion criteria and were included in the study.

### Personal characteristics of patients

The mean age of the patients was 52.62 years with an age range of 3 years to 81 years, and 6 (25%) were female and 18 (75%) were male. 13 (54.2%) were urban residents and 11 (45.8%) were rural residents.

6 (25%) were illiterate, 9 (37.5%) had a high school diploma, 7 (29.1%) had a high school diploma, and 2 (8.4%) had a university degree.

### Complainant-patient ratio

According to the findings, the highest complainant-patient ratio was related to 21 cases (87.7%) of the patient himself, one case (4.1%) of the patient, one case (4.1%) of the deceased's sister, and one case (4.1%) of the deceased's child, respectively.

### Personal characteristics of the complainants

#### Complainant gender

in a total of 24 cases, 32 members of the medical staff (general practitioners, specialists, and subspecialists) were involved, of which 3 (9.4%) were female and 29 (90.6%) were male.

#### Frequency of Physician Specialties

in 13 cases (54.1%) a specialist was involved and in 13 cases (45.9%) a subspecialist was involved.

#### Complaint Characteristics

#### Frequency of Final Verdict

Out of 24 complaint cases, in 20 (83.3%) cases, a verdict was issued on the non-negligence of ophthalmologists.

#### Frequency of Percentage of Malpractice

Out of 4 (16.7%) cases where a verdict was issued on the negligence of ophthalmologists. 2 cases (50%) were determined to have 5%, 1 case (25%) was determined to have 7.5%, and 1 case (25%) was determined to have 10% hastened death.

#### Cause of negligence

Of the 4 cases of ophthalmologist negligence, 2 cases (50%) were related to negligence, 1 case (25%) was related to failure to diagnose in a timely manner, and 1 case (25%) was related to carelessness.

### Frequency of the place of occurrence of negligence

According to the findings, the highest frequency of the place of occurrence of negligence in medical complaints against ophthalmologists is related to 11 cases (45.4%) of private clinics, 10 cases (42%) of public hospitals, 2 cases (8.4%) of private hospitals, and 1 case (4.2%) of private offices, respectively.

### Injuries resulting in death

In a total of 2 cases (8.4%) of injuries resulted in death.

### Discussion

Many studies have shown that despite significant scientific and technological advances in medical services, the rate of complaints against physicians and other healthcare professionals is increasing worldwide.

The research shows that most complaints against ophthalmologists were unfounded, which is consistent with previous research suggesting low rates of malpractice among specialists. This may be due to the high standards of care in ophthalmology or the challenges of proving negligence in medical cases. For comparison, a systematic review of malpractice in Iran (9). found that of 3997 cases reviewed, 36% were confirmed as malpractice, with the highest number of complaints against obstetrics and gynecology, orthopedics, general surgery, and ophthalmology.

Another study (10) showed that out of 1581 total complaints, 147 cases (9.29%) were related to ophthalmology. Also, in Kerman Province (11), ophthalmology had the highest number of malpractice cases among specialties. This comparison shows that although ophthalmology faces a significant number of complaints, the percentage of malpractice claims is lower than other specialties, which may be related to the nature of ophthalmology procedures, which often have clear results.

This study provides valuable insights into the frequency and nature of medical complaints against ophthalmologists in Guilan province. The low rate of confirmed malpractice cases suggests that although complaints are common, the actual incidence of negligence is low. However, the study identifies areas for improvement, such as reducing errors in diagnosis and treatment, especially in private clinics and public hospitals. Recommendations include increasing patient education, improving supervision in health centers, and establishing a systematic follow-up system for medical errors.

In our study, all complaints were due to the treatment method and none were due to the doctor's behavior or financial issues, which is in contrast to previous studies. In this study, only 2 of the 24 cases resulted in death. In a total of 2 cases (8.4%) there was injury leading to death. It was also observed in this study that in two cases leading to death, only ophthalmologists were not involved in these cases, and in one case (3 general practitioners, a cardiologist, an anesthesiologist, and a neurologist) were involved, and in another case (one anesthesiologist) was involved in the case.

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