

(Library ebook) International Medical Malpractice Law: A Comparative Law Study of Civil Liability Arising from Medical Care

International Medical Malpractice Law: A Comparative Law Study of Civil Liability Arising from Medical Care

Dieter Giesen, Lord Kilbrandon
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from Medical Care:

This monograph is the most comprehensive comparative law study of legal responsibility arising from medical care presently available. It is written for doctors as well as health care administrators and legal professionals. Focusing on the problems of civil liability, it presents the development, points of contact with, and differences between the modern law of medical liability stemming from both the Common Law and Civil Law traditions of England, Scotland, Eire, New Zealand, Australia, Canada, the United States, South Africa, France, Belgium, West Germany, Switzerland, and Austria. It demonstrates the extent to which both problems of medical law and trends towards their solution are already familiar in these legal systems. The work describes principles and trends, not by confronting the reader with national reports' and separate chapters on different legal systems; rather, the relevant legal problems are analyzed from an integrative, comparative viewpoint. The main thrust of the presentation is the analysis of numerous court decisions -- the number of which is rising ominously in the United States -- on the civil liability of doctors and hospitals for damages arising from substandard treatment or inadequate disclosure of information to the patient. References to the legal and medical literature, indexes, and a refined system of cross-references, together with an important collection of appendices covering legal and ethical declarations make this work accessible as a handbook and reference work for the legal and social problems encountered today in the wide area of law, ethics, and medicine.