

29 AUGUST 2013

AMCOA PROTOCOL ON MANAGEMENT OF MEDICAL LITIGATION



ASSOCIATION OF MEDICAL COUNCILS OF AFRICA

AMCOA PROTOCOL ON MANAGEMENT OF MEDICAL LITIGATION

WHEREAS dealing with MANAGEMENT OF MEDICAL LITIGATION in the member councils of AMCOA take various forms both in structure and content; and

RECOGNISING that the burden of Medical Litigation is an increasing concern in the AMCOA region ; and

FURTHER RECOGNISING the need to put in place guidelines for AMCOA member councils to prevent , minimise and manage medical litigations.

NOW THEREFORE THE PARTIES TO THIS PROTOCOL DO HEREBY ADOPT THE PRINCIPLES ENSHRINED HEREIN AS A FRAMEWORK FOR DEALING WITH MEDICAL LITIGATION IN THE REGION:-

1. MEDICAL LITIGATION AND PENALTIES

It is agreed that member Council/boards shall;

- (a) Develop regulations and processes for dealing with medical litigations
- (b) Develop guidelines for penalties to be imposed consistent with misconduct to ensure transparency and fairness.
- (c) Design an appropriate strategy for information, communication and dissemination for prevention of potential medical litigations
- (d) Establish efficient dispute resolutions mechanisms to minimise the impact of medical litigation

2. PROFESSIONAL INDEMNITY

It is agreed that Council/boards shall ;

- (a) Develop strategies for engagement of key stakeholders on making professional indemnity compulsory ,affordable and sustainable
- (b) Encourage all practitioners and institutions to have indemnity cover

(c) DISCIPLINARY RULES AND PROCEDURES

It is agreed that Councils/Boards should refer to the AMCOA Protocol on Disciplinary Rules and Procedures as a guide to the management hereof.

(d) FUTURE LITIGATION LANDSCAPE

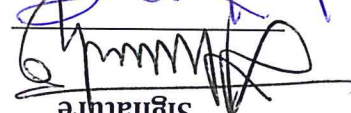
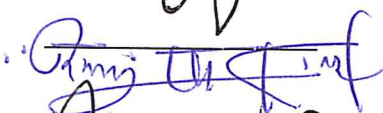
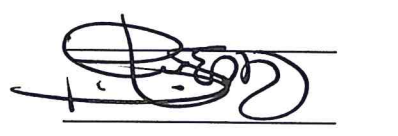
It is agreed that Councils/Boards should ensure that they:

- (a) Act within their legal mandates
- (b) Proactively propose amendments to the laws
- (c) Propose indemnity provision in the law that covers the Councils/Boards and their members

(e) ENABLING FRAMEWORK

All member councils that are signatories to this protocol agree to pursue processes of aligning or developing legislative and other policy frameworks to facilitate the implementation of the principles enshrined in this protocol.

THUS DONE AND SIGNED AT HOTEL DES MILLE COLLINES, KIGALI RWANDA, ON THIS DAY, THURSDAY, 29TH AUGUST, 2013.

Country	Name & Designation	Signature
1. Ghana	Dr. A. Agyem	
2. Kenya	Prof. A. Magoha	
3. Lesotho	Abel H.C. KAWANDA	
4. Malawi	DR B.T. S ENWAUSWET	
5. Mauritius	Mr. Kaur	
6. Namibia	Dr E. Rudacemus, Registrar	
7. Nigeria		
8. Rwanda		

9. Sierra Leone
10. South Africa
11. Seychelles
12. Swaziland
13. Tanzania
14. Uganda
15. Zambia
16. Zimbabwe

Tholene Sodi

James W. Moya

Dr. P. M. M. M.

Dr. P. M. M. M.

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Ms. M. M.