

# Claims and complaints insights

## Anaesthetists



**1 in 19**

Avant anaesthetist members had a matter<sup>1</sup> raised about the provision of their care each year.

Five year average FY2017-FY2021

Data source: matters indemnified FY2017-FY2021

### Top 3 issues in the conduct of anaesthesia:

1. Allegations about anaesthetic administration, skill or performance (e.g. adverse reaction, damage or injury from anaesthetic administration) 45%
2. Dental damage 18%
3. Claims of awareness during surgery 7%.

### Practitioner behaviour issues

26% of practitioner behaviour allegations referred to impairment issues (e.g. mental/psychological, alcohol consumption).

Other common allegations related to:

- Issues of communication and attitude towards the patient (e.g. inappropriate comments/disrespectful behaviour) 22%
- Inappropriate billing practices 13%.

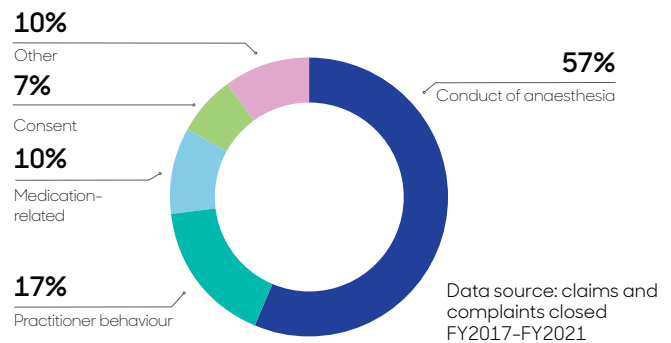
(% out of total claims/complaints related to practitioner behaviour)

### Assessment of the care provided

Anaesthetists were assessed to meet the standard of care in over half of claims and complaints.








Compensation claims and regulatory complaints against anaesthetists related to:



The types of anaesthesia associated with claims and complaints were general anaesthesia (37%), sedation (17%), regional block (6%), spinal/epidural (6%) and local (1%). Other claims and complaints were not anaesthesia-related (34%).

### Most common procedures involved in claims and complaints related to anaesthesia

-  procedures on the digestive system (e.g. colonoscopy, gastroscopy) 22%
-  musculoskeletal procedures 18%
-  neurosurgical procedures 9%
-  breast surgery 7%
-  dermatological and plastic procedures 6%

(% out of total claims/complaints related to conduct of anaesthesia)

### Severity of injury associated with claims and complaints

In 76% of claims and complaints, the patient experienced minor physical injury (e.g. dental damage) or no physical injury. In 24% of cases, the patient died or experienced major or catastrophic physical injury.

### Key points

- The most significant source of claims and complaints for anaesthetists was in the conduct of anaesthesia. The most common allegations were poor anaesthetic administration, skill or performance, dental damage, and awareness during surgery.
- Procedures on the digestive system and the musculoskeletal system were the most common in claims and complaints related to the conduct of anaesthesia.
- Practitioner behaviour allegations most often related to practitioner impairment and communication/attitude towards the patient.
- In one out of 4 of claims and complaints, the patient experienced major or catastrophic physical injury (including death).
- Anaesthetists met the standard of care expected in over half of claims and complaints.

## Glossary

1. Matters include claims, complaints, coronial cases and other matters such as employment disputes and Medicare.
2. Claims refers to claims for money, compensation and civil claims.
3. Complaints relates to formal complaints to regulators.
4. Employment disputes are matters where Avant defends members against complaints or supports members to resolve employment issues.
5. Medicare matters include Medicare investigations and audits.

## Resources

If you receive a claim or complaint, contact us ([avant.org.au/MLAS](http://avant.org.au/MLAS)) on 1800 128 268 for expert medico-legal advice on how to respond – available 24/7 in emergencies.

For any queries on this analysis, please contact us at [research@avant.org.au](mailto:research@avant.org.au)



For more information on communicating with patients, including advice about obtaining consent and a wide range of other topics, visit the Avant Learning Centre, [avant.org.au/avant-learning-centre](http://avant.org.au/avant-learning-centre), where you will find articles, case studies, podcasts, webinars, videos, factsheets and many other resources.

[avant.org.au](http://avant.org.au) | 1800 128 268



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