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Does Litigation Influence Medical Practice? The Influence of Community Radiologists' Medical Malpractice Perceptions and Experience on Screening Mammography¹

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Abstract

PURPOSE—To assess the relationship between radiologists' perception of and experience with medical malpractice and their patient-recall rates in actual community-based clinical settings.

MATERIALS AND METHODS—All study activities were approved by the institutional review boards of the involved institutions, and patient and radiologist informed consent was obtained where necessary. This study was performed in three regions of the United States (Washington, Colorado, and New Hampshire). Radiologists who routinely interpret mammograms completed a mailed survey that included questions on demographic data, practice environment, and medical malpractice. Survey responses were linked to interpretive performance for all screening mammography examinations performed between January 1, 1996, and December 31, 2001. The odds of recall were modeled by using logistic regression analysis based on generalized estimating equations that adjust for study region.

RESULTS—Of 181 eligible radiologists, 139 (76.8%) returned the survey with full consent. The analysis included 124 radiologists who had interpreted a total of 557 143 screening mammograms. Approximately half (64 of 122 [52.4%]) of the radiologists reported a prior malpractice claim, with 18 (14.8%) reporting mammography-related claims. The majority ($n = 51$ [81.0%]) of the 63 radiologists who responded to a question regarding the degree of stress caused by a medical malpractice claim described the experience as very or extremely stressful. More than three of

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Author contributions:

Guarantor of integrity of entire study, J.G.E.; study concepts and design, all authors; literature research, J.S.F., P.A.C., J.G.E.; data acquisition, J.S.F.; data analysis/interpretation, R.E.H., G.R.C., L.A.A., S.H.T., W.E.B., J.G.E.; statistical analysis, L.A.A., W.E.B.; manuscript preparation, J.S.F.; manuscript definition of intellectual content, editing, revision/review, and final version approval, all authors.

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Law and Corporate Behaviour Christopher Hodges,2015-10-22 This book examines the theories and practice of how to control corporate behaviour through legal techniques The principal theories examined are deterrence economic rational acting responsive regulation and the findings of behavioural psychology Leading examples of the various approaches are given in order to illustrate the models private enforcement of law through litigation in the USA public enforcement of competition law by the European Commission and the recent reform of policies on public enforcement of regulatory law in the United Kingdom Noting that behavioural psychology has as yet had only limited application in legal and regulatory theory the book then analyses various European regulatory structures where behavioural techniques can be seen or could be applied Sectors examined include financial services civil aviation pharmaceuticals and workplace health safety Key findings are that enforcement has to focus on identifying the causes of non compliance so as to be able to support improved performance rather than be based on fear motivating complete compliance Systems in which reporting is essential for safety only function with a no blame culture The book concludes by proposing an holistic model for maximising

compliance within large organisations combining public regulatory and criminal controls with internal corporate systems and external influences by stakeholders held together by a unified core of ethical principles Hence the book proposes a new theory of ethical regulation This title is included in Bloomsbury Professional's International Arbitration online service *The Liability Maze* Peter W. Huber, Robert E. Litan, 2010-12-01 With an ever increasing number of liability lawsuits are corporations electing to play it safe rather than risk the uncertainties accompanying innovation In *The Liability Maze* experts address the issues surrounding safety and innovation and present the most detailed and comprehensive study to date on the actual impact of U S liability law In recent decades it has been widely assumed that liability laws promote safety by significantly raising the price companies must pay for negligence product defects and accidents More recently others have suggested that the broad and unpredictable sweep of these laws actually deters innovation The risks of lawsuits are so great that corporations are showing more caution in product innovation than ever before The contributors focus on five sectors of the economy where the liability system appears to have had the greatest effects positive or negative the private aircraft automobile chemical and pharmaceutical industries and the medical profession They suggest that in many sectors liability law has hampered innovation In others it has stimulated safety improvements although perhaps not so much as vigilant safety regulations

Health Law and the European Union Tamara K. Hervey, Jean V. McHale, 2004-11-04 How does the law of the European Union affect health law and policy At first sight it seems limited However despite its restricted formal competence the EU has recently become increasingly involved in the health field Litigation based on EU law has resulted in a right to receive health care services across national boundaries which may have huge practical implications for national health systems The EU has promulgated legislation regulating clinical research and the marketing of pharmaceuticals patients rights are affected by EU legislation on data protection and product liability the qualifications of health care professionals are legally recognised across the EU and the EU has acted to promote public health This book explores the various impacts of measures of EU law on national health law and policy Through elaboration of selected examples the authors show that within the EU health law cannot be regarded as a purely national affair Medical Liability United States. Congress. Senate. Committee on Health, Education, Labor, and Pensions, 2007 *Culture, Brain, and Analgesia* Mario Incayawar, Knox H. Todd, 2013-01-10 In this state of the art volume culture is placed in the forefront of studying pain in an integrative manner The authors put forth that a patient's culture should be studied with the purpose of unveiling its effects upon biological systems and the pain neuromatrix

Otorhinolaryngology- Head & Neck Surgery Chris de Souza, 2017-12-31 Otorhinolaryngology Head endoscopic sinus surgery facial plastics head and neck cranial base and oncology laryngology otology In this new edition endoscopic sinus surgery is given its own section encompassing all aspects of this surgery and an entirely new section on otology is comprised of 37 chapters including otitis media and cochlear implants The facial plastics section provides information on dermabrasion chemical peels laser treatment botox and

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Table of Contents The Influence Of Litigation On Medical Practice

1. Understanding the eBook The Influence Of Litigation On Medical Practice
 - The Rise of Digital Reading The Influence Of Litigation On Medical Practice
 - Advantages of eBooks Over Traditional Books
2. Identifying The Influence Of Litigation On Medical Practice
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an The Influence Of Litigation On Medical Practice
 - User-Friendly Interface
4. Exploring eBook Recommendations from The Influence Of Litigation On Medical Practice
 - Personalized Recommendations
 - The Influence Of Litigation On Medical Practice User Reviews and Ratings
 - The Influence Of Litigation On Medical Practice and Bestseller Lists
5. Accessing The Influence Of Litigation On Medical Practice Free and Paid eBooks
 - The Influence Of Litigation On Medical Practice Public Domain eBooks
 - The Influence Of Litigation On Medical Practice eBook Subscription Services

- The Influence Of Litigation On Medical Practice Budget-Friendly Options
- 6. Navigating The Influence Of Litigation On Medical Practice eBook Formats
 - ePub, PDF, MOBI, and More
 - The Influence Of Litigation On Medical Practice Compatibility with Devices
 - The Influence Of Litigation On Medical Practice Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of The Influence Of Litigation On Medical Practice
 - Highlighting and Note-Taking The Influence Of Litigation On Medical Practice
 - Interactive Elements The Influence Of Litigation On Medical Practice
- 8. Staying Engaged with The Influence Of Litigation On Medical Practice
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers The Influence Of Litigation On Medical Practice
- 9. Balancing eBooks and Physical Books The Influence Of Litigation On Medical Practice
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection The Influence Of Litigation On Medical Practice
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine The Influence Of Litigation On Medical Practice
 - Setting Reading Goals The Influence Of Litigation On Medical Practice
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of The Influence Of Litigation On Medical Practice
 - Fact-Checking eBook Content of The Influence Of Litigation On Medical Practice
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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