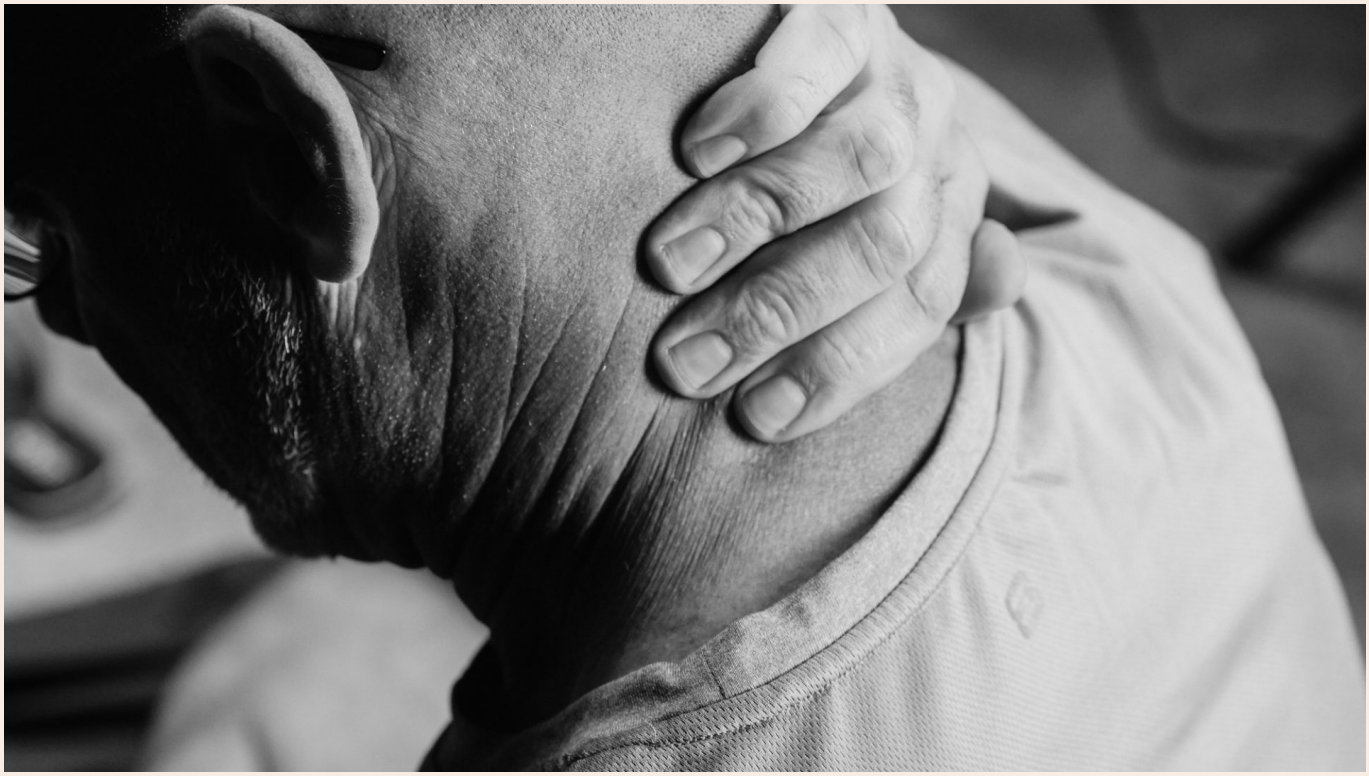


What do I do when I have suffered injury or loss as a result of medical treatment?

It can be very upsetting when medical treatment does not go well, and you are left feeling like you or your loved ones did not receive appropriate medical care and, as a result, have suffered loss and damage. This is known as **medical negligence.**

Furthermore, the situation can worsen when you struggle to get answers from the doctors or hospital involved in your care about what went wrong. The lack of resolve can leave you feeling confused or angry.

The treatment received may fall below the expected medical standard in the circumstance and satisfy the legal basis for a **medical negligence claim.**

If you or your loved one have found yourself in this situation, there are many avenues you can pursue that may assist in answering your questions about the medical treatment received.

Lodging a complaint with the Australian Health Practitioner Regulation Agency ('AHPRA')

AHPRA is a national organisation responsible for implementing the national registration and accreditation scheme across Australia to help protect the public by regulating Australia's registered health practitioners.

Their primary role is to protect the public and set standards and policies that all registered health practitioners must meet.

Anyone providing medical treatment needs to be registered with AHPRA, including doctors, nurses, allied health professionals, ambulance officers, and any students in these areas.

For medical negligence circumstances, AHPRA have a complaints process that can be accessed online.

Hospital Internal Complaints Process

If your complaint is concerning a hospital, you can follow the internal complaints process at the hospital.

Lodging a complaint with the Health and Community Services Complaints Commissioner ('HCSCC')

As an alternative, or if you are dissatisfied with the internal complaints process, you can lodge a complaint with the HCSCC about any health or community service in South Australia.

The complaints process through AHPRA, the HCSCC and the Hospitals are designed to investigate your grievance and aim to have your questions answered, with any necessary disciplinary action taken, or protocol changes implemented if deemed appropriate.

The complaints process can be lengthy.

Legal process for a Medical Negligence claim

Should you require an alternative solution, you have the option to investigate and, if appropriate pursue a personal injury claim arising out of the negligent medical treatment. The claim against the

doctor and/or hospital would seek compensation for the loss and damage you have suffered.

This process involves the engagement of a lawyer to investigate, via expert medical evidence, whether the applicable duty of care owed by the doctor and/or hospital to you as a patient has been breached (negligence). And if so, whether the breach of that duty of care has caused you damage (causation).

If both negligence and causation can be established, you will be able to pursue a personal injury claim against the doctor and/or hospital for monetary compensation for your injury, loss and damage.

When do I make a Medical Negligence claim?

If you are in a position to make a medical negligence claim, it's important to note the time sensitivity in actioning your claim.

In South Australia claims arising from negligent medical treatment, need to be actioned in Court within 3 years from the date the breach of the duty of care occurred.

If you believe you have suffered an injury, loss and damage due to inappropriate medical treatment please contact our **Medical Negligence team** for a first free interview to discuss the circumstances of your treatment.

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