

**Abstract Type : Oral**

**Abstract Submission No. : OR-1025**

**Medicolegal Lessons learned from Litigation involving Hemodialysis  
Procedure: an Analysis of lawsuit judgments from 1994 to 2019**

**SuHwan Shin**<sup>1</sup>, Kim SoYoon<sup>1</sup>, Kim JiEun<sup>2</sup>, Cho EunJung<sup>2</sup>, Ahn ShinYoung<sup>2</sup>, Kwon YoungJoo<sup>2</sup>, Ko Gang-Jee<sup>2</sup>

<sup>1</sup>Department of Medical Law and Ethics, Yonsei University College of Medicine, Korea, Republic of

<sup>2</sup>Department of Internal Medicine, Korea University College of Medicine, Korea, Republic of

**Objectives:** The standard of medical practice might vary by the perspective between the clinician and the judge. In this study, we investigated disputed complications and duties of physician which were recognized by the court through the analysis of the medical lawsuit cases involving hemodialysis (HD). With the goal of analyzing the standard of care during HD in perspectives of the law, we aimed to reduce the risk of malpractice and avoid unnecessary legal disputes in the future.

**Methods:**

This study analyzed lawsuit judgments involving HD sentenced within the courts from January 1, 1994 to December 31, 2019. Of total of 363 lawsuit judgments obtained, 23 cases (33 lawsuits) of HD regarding disputed procedures were selected for this study. The authors examined the trial outcome, reasons for claim, types of involving dialysis unit, admitted duty of physician, and the negligence by the court.

**Results:** In a total of 23 cases, 14 cases (61%) were awarded to plaintiff. Most common complications were catheter-site bleeding (6 cases) and infection (5 cases). The negligence of physicians by the court included performance error and error on patient monitoring after HD, followed by the lack of informed consent for possible complications.

**Conclusions:** Physician tends to be liable for complication when prompt recognition and management is not accompanied throughout the procedure of HD. Through an analysis of the judgments, physician should be aware of and adhere to the standard protocol to avoid significant morbidity and legal risk with HD.