

Professional liability in Catalonia (Spain) by specialty from 1986 to 2023

135

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Introduction. The epidemic of complaints and/or litigation, both in and out of court, for cases of alleged "malpractice" has increased particularly dramatically in Europe, although these trends cannot be generalised. Analyses derived from medical liability claims are a well-known but under-utilised source for correcting errors and improving patient safety. Knowledge of claims data by specialty and its dissemination to specialists has been identified as a necessity to improve the quality of patient care and reduce the rate of adverse events and the number of professional liability claims. **Methods.** The Professional Liability Service of the Council of Medical Associations of Catalonia (CCMC) manages the majority of professional liability policies in Catalonia (more than 26,500 doctors) and has recorded all claims against insured professionals since 1986. The CCMC database was used to identify claims by related specialty from 1 January 1986 to 31 December 2023.

Results. A total of 11,092 claims were identified between 1986 and 2023. From 1986 to 2004, 5310 complaints were registered, with an increasing trend, according to regression analysis ($r^2=0.515$), while from 2005 to 2023, 5,782 complaints were registered, with a decreasing trend ($r^2=0.358$) (Figure 1).

Likewise, from 2000 to 2023, the 4 most claimed specialties are Orthopaedic Surgery and Traumatology, Gynecology and Obstetrics, Plastic Surgery and General Surgery, which account for 54.5% of all claims, followed by Ophthalmology, General Medicine, Anesthesiology, Oral and Maxillofacial Surgery, Urology and Neurosurgery as the 10 most claimed specialties (77.7% of the total). (Table 1).

A more detailed analysis of the period from 2000 to 2023 shows a reversal of the routes of initiation of complaints, from mostly criminal to mostly extrajudicial (Figure 2).

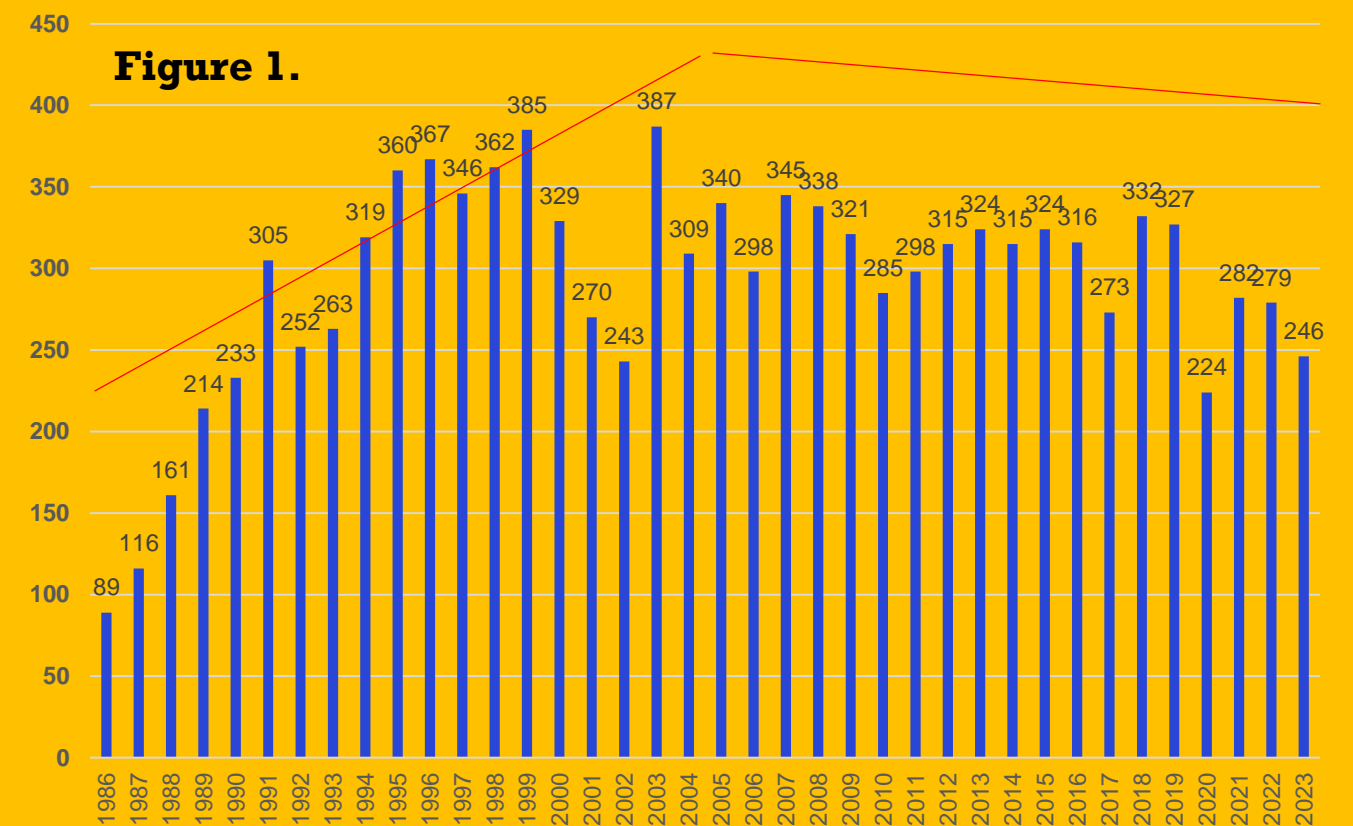
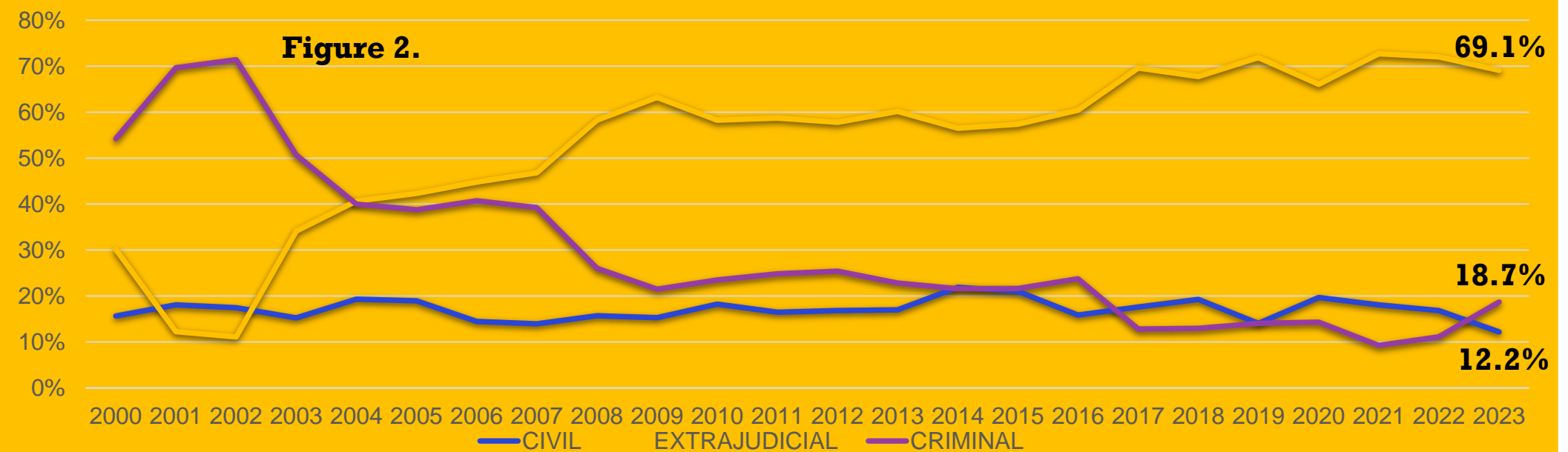


Table 1.

Specialty	n	%	cumulative %
ORTHOPAEDIC SURGERY AND TRAUMATOLOGY	1298	18,1%	18,1%
GYNAECOLOGY AND OBSTETRICS	1058	14,8%	32,9%
PLASTIC SURGERY	959	13,4%	46,3%
GENERAL SURGERY	588	8,2%	54,5%
OPHTHALMOLOGY	461	6,4%	61,0%
GENERAL MEDICINE	340	4,8%	65,7%
ANAESTHESIOLOGY	239	3,3%	69,1%
ORAL AND MAXILLOFACIAL SURGERY	206	2,9%	72,0%
UROLOGY	204	2,9%	74,8%
NEUROSURGERY	203	2,8%	77,7%



In this period, professional liability was resolved (by judgement or out-of-court settlement) in 26.8% (33.7% in civil proceedings, 23.48% in out-of-court proceedings and 12.22% in criminal proceedings), with different percentages depending on the specialty. In professional liability cases, the average compensation amount was 67,627 euros, also with variations depending on the medical specialty.

Conclusion. The analysis of the claims rate in the CCMC shows a downward trend in the number of claims in recent years, as well as a favorable scenario in terms of the increase in out-of-court claims and the containment of the average compensation, which demonstrates the good health of the Catalan medical professional liability scenario.



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