

PRESS RELEASE



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FAVOURING PARTICULAR PATIENTS "CARRIES RISKS", WARNS MDDUS

GPs who favour particular patients or offer preferential treatment or advice could risk a GMC hearing, or even face a charge of discrimination in court, warns the Medical and Dental Defence Union of Scotland (MDDUS) today (Friday, 6 February 2009).

"GPs understandably warm to certain patients more than others, but giving them favoured status by offering them better clinical care or some other kind of preferential treatment carries risks," said Dr George Fernie, a senior medico-legal adviser at the MDDUS.

The MDDUS knows of one case where a GP retained a friend on a practice's list after the friend moved out of the practice area. Another patient, who also moved, was automatically removed from the practice's list but got wind of the favouritism enjoyed by the first patient. They submitted a request for the practice policy on removals under the Freedom of Information Act.

GMC guidance is that doctors must prioritise patients on the basis of clinical need, without allowing their personal views to prejudice the choice of treatment offered or standard of care. Retaining or removing someone as a patient may influence the standard of care they enjoy.

Preferential treatment also has legal implications. If the less favoured patient is from an ethnic minority or disabled in some way, they may have a case against the GP's practice under the Race Relations Act 1976 or the Disability Discrimination Act 2005.

Additionally, favouritism can be damaging in more practical ways, by impacting on the rest of the practice team. Receptionists and practice nurses can be undermined by GPs who offer preferential treatment to favoured patients, if patient expectations are set too high, or less favoured patients complain, or the favouritism conflicts with a practice's agreed policies.

"We know of cases where receptionists and practice nurses have had no option but to stand firm on practice policy after a GP has given a patient preferential treatment that conflicts with it," said Dr Fernie. "Favouritism is unfair, potentially illegal – and poor professional practice."

MDDUS advice is for practices to agree policies and procedures, and stick to them. "It is occasionally reasonable to overrule agreed practice for clinical reasons, but this should be explained to colleagues in a transparent fashion as an exception based on clinical need (as is often the case in reality) and not just because the patient is a friend," said Dr Fernie.

Ends

For further information contact Mike Hutchinson on 020 7624 6257 or 07760 155216.

Notes to editors

1. MDDUS is a medical defence organisation providing access to professional indemnity and expert medicolegal advice for doctors, dentists and other healthcare professionals throughout the UK.
2. For further information on MDDUS go to www.mddus.com.