

PRESS RELEASE



For immediate release: Monday, 26 October 2009

BEWARE UNWARRANTED DISCLOSURE IN REFERRALS, WARNS MDDUS

Doctors must be wary of the potential pitfall of disclosing unrelated medical conditions when providing patient referrals, warns the Medical and Dental Defence Union of Scotland (MDDUS).

This follows new revised guidance on patient confidentiality from the GMC – which if breached could lead to complaints against doctors and potential court cases or disciplinary proceedings.

The issue was highlighted in a recent call to the UK-wide MDDUS advice line. A patient had attended a member's practice seeking a referral for elective surgery.

The GP wrote the letter and forwarded medical details to the specialist, but in doing so disclosed a history of a sensitive and unrelated medical condition. This prompted a complaint from the patient.

Dr Gail Gilmartin, a senior medico-legal adviser at MDDUS says: "In providing patient referrals doctors should include personal information relevant to the medical condition being treated and exercise care in disclosing past history. Be aware that inadvertent inclusion of personal details is a greater risk today with most patient information now being held in easily transmissible electronic form. Particular attention should be paid to information the patient is likely to object to being disclosed."

The GMC confirms in its new guidance on confidentiality that appropriate information sharing is essential to the efficient provision of safe, effective care, both for the individual patient and for the wider community of patients. But it also states: "You must respect the wishes of any patient who objects to particular personal information being shared within the healthcare team.....unless disclosure would be justified in the public interest."

Dr Gilmartin advises: "Doctors must ensure that their practice systems for referrals take account of this risk. Disclosure of confidential information unnecessarily or improperly can expose practitioners to possible complaints, disciplinary proceedings or legal action."

Ends

For further information contact Colin Calder on 0141 616 2677 or 07850 510881.

Note to editors

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. For further information on MDDUS go to www.mddus.com.