

Decision of the Medical Board of Australia

Performance and Professional Standards Panel

Jurisdiction: Victoria

Date of hearing: 8 March 2012

Date of decision: 22 March 2012

Classification of Notification:

Communication – Failure to communicate openly, honestly and effectively

The patient had extensive metastatic cancer in the mouth and was seen by three different palliative care staff over a six-week period. The patient was seen once by the practitioner who was the subject of the notification. The practitioner did not believe that the patient required morphine or home oxygen at the time. The patient's family was disappointed with the palliative care provided and attributed the patient's suffering and his manner of death to the lack of adequate pain relief in the hours leading to the death.

Allegations

The practitioner faced allegations that he failed to facilitate appropriate communication between the health care providers and the family about the appropriate and timely management of the patient.

Finding

The Panel found that the patient's uncomfortable death was due to the patient's deterioration being more rapid than anticipated, rather than the practitioner's failure to facilitate communication between health care providers.

Determination

The Panel determined that the allegation was not made out and the practitioner had no case to answer.