

# A Medical Practitioner's Duty in Emergency Situations



Reading time:  
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## The good Samaritan

While working as a gynaecology registrar in a public hospital, Dr L treats a woman who has miscarried. A week later, on the way home, Dr L finds the patient crouched over at the train station. Dr L enquires about the patient's wellbeing and discovers she has some abdominal pain but the patient says she is "okay". Dr L notes that the woman is sweaty and appears confused. Dr L is beginning to feel concerned about the possibility of retained products of conception and infection or an alternative complication. Dr L suggests the woman return to the hospital immediately. Despite Dr L's best efforts, the woman insists she is "okay" and does not wish to go to the hospital. Feeling a strong sense of duty, Dr L decides to stay with the patient.

## After contacting MIPS

Dr L called emergency services to assist. When concerned about someone's condition and in this case when the background is known, contacting 000 to allow paramedics or police to assess the individual's condition is a good course of action.

The Medical Board Code of Conduct says "Good medical practice involves helping in an emergency that takes account of your own safety, skills and the availability of other options."

## Key messages

- A Good Samaritan is generally someone who is acting in good faith, without expectation of payment or reward, who comes to the aid of an injured person, or person at risk of injury, with assistance or advice.
- There is legislation in each Australian State and Territory to protect a person who acts as a Good Samaritan from a civil claim which could be made against them.
- There is an ethical and professional obligation on medical practitioners to assist in emergencies. There are cases where practitioners have been punished for not assisting however these are rare and often set aside on appeal. MIPS will assist in these situations.

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