

Equality and the patient's College

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I got a call from the College.

"This is not official," a man said. "I wonder if we could meet?"

"Why?" I said warily.

"I am in charge of the committee on doctor morale," he said. "I wonder if you could help with my research?"

We met soon after. He was a small, nervous man who kept looking away the way some politicians do in a crowd to see if there is someone else more important to talk to.

"My friend in the ministry gave me your name since you gave him so much insight into why plastic surgeons do more surgery when the fee is lowered", he said. "I am writing a report for your College."

"It's been a long time since I thought of it as *my* College," I said, "I don't know whose College it is."

"Why should I talk to you about this?" I asked.

"You can ask me about the College if you want," he said meekly.

"OK," I said. "The major thing that bothers me about the College is that patients have more rights than doctors. Patients can complain about doctors, but doctors can't complain about patients. We call a complaint a 43-cent lawsuit. We even think patients who can't afford a lawyer are told to complain to the College first, to see if they have a case against the doctor. It seems to me that the patients have taken over the College."

"Let me explain," he said with a little smile. "All this was put in place because the doctor is a powerful person, and the patient powerless, putty in the doctor's hands. Patients had no way to object to treatment that they thought had gone bad, and there were some doctors that were bad who needed to be gotten rid of or reeducated."

"Fair enough," I said, "but now patients have more power than doctors, and doctor morale is way down."

"Lots of doctors are keeping their heads down and referring a lot. The less responsibility you take, the less chance of a complaint from the College. The trouble is, that's not being a real doctor!" I said.

"Another thing, doctors are fed up with the unfairness of



some of the charges of sexual harassment settled by the College. All these should go to a court of law where there are proper rules of evidence and be tried by a judge and jury. A friend of mine calls the College the 'Royal Australian College', because it has a 'kangaroo court'. We'd like to see a patient who sexually harasses a doctor treated the same as a doctor who harasses a patient."

"Well we do have a committee of a doctor's peers to hear the case with a lawyer as committee advisor," he said quietly.

"Exactly my point," I said. "Who are my peers? Are they plastic surgeons?"

"Well no," he said, "We usually choose people who are unbiased."

Eufemeus P. Szabo is the pseudonym of a well known Canadian plastic surgeon.

"So that means if you know something about a subject you are assumed to be biased and are excluded from the committee!" I said.

"That's usually how it turns out," he replied, "but that was not our intention. We have to be totally impartial." He smiled placidly as if revealing an eternal truth.

"But that means excluding anyone who has any knowledge in depth of the subject," I said somewhat too hotly.

"Not at all," he said. "Any subject can be dealt with rationally after hearing all the facts, by anyone with an open mind. The College should never be seen as isolated from society. Every action we take is reflected in society and we must be answerable to the forces of change, for change is progress. We don't want to be yesterday's College. For that reason, if society decides that doctors must be equal to patients, then the College must carry out this social good."

"I think I am beginning to understand this," I said. "If equality is the goal among all peoples, and I mean equality of rights, not equality of birth, genetics or responsibility, the fastest way to do this is to create equality by legislation. Equality and legislation is political."

"Right," he said, "and that has been done by the College."

"I think I see a formula here," I said.

$$\text{GROUP EQUALITY} = (\text{HIGH POWER} - \text{RIGHTS}) + (\text{LOW POWER} + \text{RIGHTS})$$

"Or put another way:

$$\text{EQUALITY} = \text{DEPOWERMENT} + \text{EMPOWERMENT}$$

"This is general equality and has nothing to do with the individual, does it," I said. "This assumes that altruistic power does not exist and equality will only be safe if power of the individual is not trusted," I added.

"You could put it that way," he said.

"I thought equality was earned by achievement and a natural good worth striving for," I said.

"No, equality is a group concept. It is legislated, made by society and not earned. Being a social concept, it can be produced, given, or taken away by society. A hermit has no equality. But let's get back to my original problem – the morale of doctors."

"The patients have taken over the College, and there is no one left to speak for the doctors", I said. "That is as far as you have to look for the morale problem."

He frowned.

"Look," I said, "I've just had an idea. If equality between doctor and patient has been achieved, and if you want to make patients more responsible for their health and less dependent on doctors, then why not set up a 'patient's College'. This would go a long way to help doctor's morale since doctors

would believe that the doctor's College was on their side all the time. At the same time, having a patient's College would stress the importance of patients having responsibilities to match their new rights. Patients could practise as patients. Of course there would be a patient's licence – two levels, basic and advanced."

"What's the difference?" he asked.

"Well, the basic level would be at high school and be given after an examination in the basics of patienthood. I would suggest that the basics include such things as the signs and symptoms of infection, how to take a temperature, basic cleanliness and preoperative preparation, and the importance of giving the history in diagnosis. To get the basic patient's licence, one would have to show solid proof of understanding that diagnosis comes before treatment."

"And the advanced patient's licence?"

"That would be given automatically to all those adults who had shown common sense and experience in raising one or more children from birth to age eighteen, or nursed a spouse through a life crisis. The licence would be encouraged but optional, and for a true sufferer, any behaviour would be acceptable given the nature of compassion in a time of true mortal fear. For doctors, extra understanding would be given for those doctors who had been patients themselves, particularly those doctors who had suffered from a severe illness.

He nodded excitedly. "A patient's College would redress the inequality doctors feel, since doctors could now complain about a patient's behaviour."

"Exactly," I said. "A complaint could be answered by a complaint, and one-sided complaints would end once and for all. Patients might even think twice before complaining, knowing they would have to defend their own complaints with carefully worded letters, and they might even have to get patient malpractice insurance. I don't think the lawyers would object.

"What sort of complaints might doctors file?" he asked.

I shrugged. "Well, perhaps patients who didn't wash before surgery, then blamed the surgeon for their infection. Or those who didn't take their doctor's advice 'because it didn't make sense to them,' and then complained because they didn't get better. Or patients who claimed not to have been told anything, even after a 30-minute consultation. The doctor's College would advise doctors never to complain about a patient unless the patient complained first. This would be chivalrously known as the 'First Shot Rule'. When doctors once again started to believe that they had equal rights with patients, then doctor morale would soar."

"And this has nothing to do with fees, either! It's not a bad idea," he said.

"Do you think it will ever happen?" I asked.

He smirked. "Not until doctors have more votes than patients."