

KOREAN MEDICAL ASSOCIATION



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Adoption of the Medical Dispute Mediation Act

The Korean National Assembly has adopted the “Act on Medical Accident Relief and Medical Dispute Mediation etc.” (hereinafter the Medical Dispute Mediation Act) aimed at facilitating the resolution of medical disputes between physicians and patients through the mediation by an independent body. The new law is to take effect from April, 2012.

Since proposing the adoption of a Special Act on Treatment of Medical Accidents in 1988, KMA has steadfastly called for specialized legislation to provide a more reasonable and timely resolution of medical disputes. KMA sincerely welcomes the recent enactment, which is the fruition of KMA’s 23 years of active legislative campaigning.

Medical disputes, which are unfortunately an inevitable part of the medical reality, have caused tremendous mental and economic damage to both patients and medical professionals. The consequences of being implicated in a medical dispute have become so severe that they often cause physicians to take on a defensive or passive approach to patient care or to avoid emergency medicine that has a higher risk of leading to medical disputes. Such pressures often lead to medical decisions that are not in the patient’s best interest.

Pursuant to the new law, the “Medical Dispute Mediation and Arbitration Center” was launched last August. A Medical Dispute Mediation Council and Medical Accident Appraisal Board were established under the Center to provide an alternative channel for resolving medical disputes. Compared to the traditional litigation process, mediation is expected to reach conclusions faster, which will benefit both physicians

and patients by alleviating cost and time burdens of a lengthy court process.

The remaining challenge is to make sure that the mediation and arbitration process is conducted with fairness and objectivity and to win the trust of both patients and physicians in the new process, which will be critical to its success.

Medical Profession Gains Right to Self-regulate

The power to self-regulate its own members is an essential part of a professional organization.

That is why KMA welcomes the adoption of the revised Medical Act that guarantees self-regulatory power to medical organizations so that medical professionals can control their own credibility and professional integrity through self-regulation. The revised law will go into effect from 2012.

According to the revised Medical Act, the Central Committee of medical organizations including KMA is to establish an ethics committee with the power to demand disciplinary action against physicians who commit actions that harm the dignity of the profession.

The Korean Bar Association, a well-recognized professional organization, had already enjoyed the right for self-regulation. The head of its disciplinary department has the power to demand sanctions against members who violate professional principles. By contrast, KMA, even as a statutory organization, was not guaranteed any self-regulatory power under the previous Medical Act and was left with insufficient means of guaranteeing autonomy and ensuring public good among its members.

Korea’s medical sector led by KMA has repeatedly asked the legislature and the government for the right to self-regulate. KMA strongly

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believes that a professional organization's self-regulatory power is essential to guaranteeing the autonomy and public service of members, to protect members from excessive influence by the government and to protect the nation and society from any errors due to the wrongful practices of its members.

KMA sincerely welcomes the recent revision of Korea's Medical Act that provides the legal grounds for self-regulation, a long-awaited goal of KMA. The ability to self-regulate its members adds greatly to KMA's stature and reinforces its public credibility. The remaining task is to earn the understanding and support from its members as the self-regulatory process is implemented.

Public Services Activities

KMA has been actively responding to society's emerging medical issues and has been providing its expert opinion and solutions as the representative of Korean physicians. Such public service initiatives are part of KMA's greater mission of attaining true medical rights by contributing to society and building a more positive image of physician organizations.

Suicide Prevention Campaign

According to Korea's National Statistical Office, Korea's suicide rate is the highest among that of OECD countries. More alarming is that while the rate of increase is on a downward trend for OECD as a whole, Korea's suicide rate is still rapidly climbing.

Currently, various related groups are engaged in suicide prevention efforts in Korea. The call for medical professionals to play a greater role has been growing because physicians play a critical role in diagnosing those at risk as well as implementing social and medical prevention measures. KMA has worked particularly hard to emphasize to its members the importance of physicians in the process of suicide prevention. It has also been implementing a campaign with the message that suicide, as a social pathology, is more than preventable. KMA hopes its efforts will help reduce Korea's suicide rate.

KMA is also working with the government to establish suicide prevention centers and networks nationwide to conduct suicide fact-finding studies and to provide prevention training and medical services. KMA plans to develop this network into

a systematic and realistic prevention mechanism.

Campaign to Prevent Sexual Violence against Children

Recently, sexual crimes against children have emerged as a major social problem in Korea. KMA, as the organization representing physicians, has been leading a campaign to prevent sexual violence against children.

KMA operates a program that trains experts on sexual violence cases and has published and distributed sexual violence prevention guidelines and emergency room manuals to provide more professional and quick medical care to victims. It has also encouraged hospitals nationwide to operate a dedicated team to protect abused children so that such victims are cared for in a systematic and efficient manner.

KMA is also planning to organize a national tour lecture for parents on how to protect their children from sexual predators. Using its network of expert physicians and legal experts as speakers, KMA believes that such programs will help raise the social awareness on the need to eradicate sexual violence and help raise KMA's standing as a professional organization.

Campaign for Organ Donations

Korea has been suffering from a chronic shortage of organ donations compared to the long list of patients waiting for transplants. KMA believes that active communication targeting both medical professionals and the public would help increase organ donations. As a part of its medical welfare initiative, KMA is collaborating with an organ donation organization to promote organ and tissue donations from brain dead donors. KMA hopes that such efforts will contribute to promoting public health.

The best practice in many Western countries in terms of encouraging organ donation is to create a public-private alliance where the ministry of health, the legislature and private entities such as the national medical association work together in a nation-wide initiative. By benchmarking such examples, KMA aims to help increase organ donations in Korea through campaigns and education programs.

Launch of Senior Physicians' Club

KMA is currently in the process of launching

a Senior Physicians' Club aimed at increasing the social contribution of retired physicians and supporting their social participation.

At the Senior Physicians' Club initiators' meeting last March, the initiators announced that the new organization's mission would be to encourage the active service by retired physicians in various activities such as volunteering, education and job employment so that they present a respectable role model to younger physicians and set a meaningful direction for senior life. The Senior Physicians' Club plans to play a leading role in Korea's national senior policy.

The Senior Physicians' Club is planning a wide range of activities. Its volunteer activities will include visiting clinics or lectures at schools, various centers for the disabled and social welfare facilities. As social contribution activities, it is planning to conduct medical research, aca-

ademic projects and public health education services. As a part of its professional service, it could arrange substitute physicians for clinics, provide physician support to public medical institutions and long-term care facilities or provide experts for service evaluations of medical institutions.

Through a survey of its retired members, KMA had learned that retired physicians in Korea had a strong desire to active in various areas and to continue their social contributions. To facilitate such wishes of its senior members, KMA has completed the initial steps of launching the Senior Physicians' Club as a government approved independent entity under the Act on Senior Welfare.

Expert knowledge is the society's asset. The Senior Physicians' Club will serve as an excellent model to other professional senior clubs that the Korean government is planning to support.

The 27th CMAAO Congress & 47th Council Meeting
October 10~12, Taipei, TAIWAN

KOREAN MEDICAL ASSOCIATION **KMA**

Country Report
Activities of Korean Medical Association
2010-2011

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Chair, Executive Committee of International Relations
Korean Medical Association

KOREAN MEDICAL ASSOCIATION **KMA**

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KOREAN MEDICAL ASSOCIATION **KMA**

1. Adoption of the Medical Dispute Mediation Act

The Korean National Assembly adopted **‘Act on Medical Accident Relief & Medical Dispute Mediation etc.’**

The new law is to take effect from **April, 2012**

KOREAN MEDICAL ASSOCIATION **KMA**

1. Adoption of the Medical Dispute Mediation Act

KOREAN MEDICAL ASSOCIATION **KMA**

1. Adoption of the Medical Dispute Mediation Act

Remaining Challenge in the Mediation and Arbitration Process

- **Fairness and Objectivity**
- **Win the Trust of Both Patients and Physicians**

KOREAN MEDICAL ASSOCIATION **KMA**

2. Medical Profession Gains Right to Self-regulate

An Essential Part of a Professional Organization

“ The Power to Self-regulate ”

Medical professionals can control their own credibility and professional integrity through self-regulation

[Revision of Medical Act]

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KMA finally achieved the legal ground to self-regulate from the government

KOREAN MEDICAL ASSOCIATION **KMA**

2. Medical Profession Gains Right to Self-regulate

The Power to Self-regulate

Guaranteeing the medical autonomy and public service of KMA members

Protecting KMA members from excessive influence by the government

Protecting the nation and society from any errors due to the wrongful practices of its members

KOREAN MEDICAL ASSOCIATION **KMA**

2. Medical Profession Gains Right to Self-regulate

Korean Medical Association

Ethics Committee

Power to demand disciplinary action against physicians who commit actions that harm the dignity of the profession.

The revised Medical Act will be enforced from 2012

KOREAN MEDICAL ASSOCIATION **KMA**

3. Public Services Activities

3-1. Suicide Prevention Campaign

Korea's suicide rate is the highest among that of OECD countries

Phenomenon on Social Pathology

KMA has emphasized the importance of physicians' role in the process of suicide prevention

KOREAN MEDICAL ASSOCIATION **KMA**

3. Public Services Activities

KMA

Government

PLANS

- Establish suicide prevention centers and networks nationwide
- Develop this network into a systematic and realistic prevention mechanism

KOREAN MEDICAL ASSOCIATION **KMA**

"Symposium & Poster for Suicide Prevention"

KOREAN MEDICAL ASSOCIATION **KMA**

3. Public Services Activities

3-2. Campaign to Prevent Sexual Violence against Children

Program for Training Experts on Sexual Violence Cases

Publishing and Distributing Sexual Violence Prevention Guidelines

Publishing and Distributing Emergency Room Manuals

Hospitals Nationwide to Operate a Dedicated Team to Protect Abused Children

KOREAN MEDICAL ASSOCIATION **KMA**


Events for the Prevention Sexual Violence against Children

KOREAN MEDICAL ASSOCIATION **KMA**

KOREAN MEDICAL ASSOCIATION **KMA**

3. Public Services Activities

Future Plan
for
Preventing Sexual Violence against Children



Using network of expert physicians and legal experts


National Tour Lecture for Parents
- How to protect their children from sexual predators -

KOREAN MEDICAL ASSOCIATION **KMA**

3. Public Services Activities

3-3. Campaign for Organ Donations

Korea has been suffering from a chronic shortage of organ donations compared to the long list of patients waiting for transplants



Promoting Organ and Tissue Donations from Brain Dead Donors

KOREAN MEDICAL ASSOCIATION **KMA**

대한의사협회 국민의학지식향상위원회 10주년
*일시: 2011. 10. 31 (토) 18:00 *장소: 의법 복의를 *주최: 대한의사협회 *주관: 대한의사협회 국민교육부



KOREAN MEDICAL ASSOCIATION **KMA**

4. Launch of Senior Physicians' Club

The government approved independent entity under the Act on Senior Welfare

2011. 4. KMA held the Senior Physicians' Club initiators' meeting

- Encouraging the active service by retired physicians in various activities
- Presenting a respectable role model to younger physicians and set a meaningful direction for senior life

KOREAN MEDICAL ASSOCIATION **KMA**

4. Launch of Senior Physicians' Club

PLAN

- **Volunteer activities:**
- Visiting clinics or lectures at schools, various centers for the disabled and social welfare facilities
- **Social contribution activities:**
- conduct medical research, academic projects and public health education services
- **Professional services:**
- Arrange substitute physicians for clinics, provide physician support to public medical institutions and long-term care facilities or provide experts for service evaluations of medical institutions

KOREAN MEDICAL ASSOCIATION **KMA**

4. Launch of Senior Physicians' Club

The Senior Physicians' Club of KMA will serve as an excellent model to other professional senior clubs that the Korean government is planning to support.



Senior Physicians' Club initiators' meeting (04, 2011)