

LEGAL MEDICINE 2007
CONTINUING MEDICAL EDUCATION QUESTIONS

THIS DOCUMENT SHOULD BE USED AS A PREVIEW OF QUESTIONS PRESENTED ON THE ACTUAL FINAL EXAM! PLEASE DO NOT ATTEMPT TO MAIL THIS DOCUMENT WITH PAYMENT FOR CME. YOU MUST REGISTER WITH AskAFIP AND COMPLETE THE FINAL EXAM AND PAYMENT (IF APPLICABLE) ON-LINE TO BE AWARDED CME CREDIT FOR THIS ACTIVITY.

Answer all 20 questions below. Each question has only one correct answer.

1. As a matter of law, a dialysis center never owes a duty to a non-patient third party motorist based on acts or omissions in patient treatment.
 - A. True
 - B. False

2. Liability for an on-call physician can be affected by
 - A. The physician's agreement to undertake care.
 - B. Hospital on-call arrangements.
 - C. Both A and B.
 - D. Neither A nor B.

3. On-call physicians can only be held liable if they physically examine the patient and order a Chem-12 lab panel.
 - A. True
 - B. False

4. Failure to order PSA testing in males over age 50
 - A. Can potentially lead to liability if prostate cancer is subsequently discovered.
 - B. Cannot be malpractice because it is only a laboratory test.
 - C. Both A and B.
 - D. Neither A nor B.

5. Urologists are likely to be sued during their professional career
 - A. At least 40 times.
 - B. An average of two times.
 - C. More frequently if they enjoy golf.
 - D. None of the above.

6. Testicular torsion, although fairly rare, accounts for a large proportion of malpractice claims due to the severity of injuries that can include testicular atrophy or loss.
 - A. True
 - B. False
7. Malpractice claims following urethroplasty usually relate to problems with
 - A. Recurrent stricture.
 - B. Impotence.
 - C. Incontinence.
 - D. All of the above.
8. The frequency of urology claims is
 - A. Much higher in the last decade.
 - B. About the same as 20 years ago.
 - C. Decreasing yearly due to improved techniques.
 - D. None of the above.
9. In a lawsuit, losing parties may decide to appeal if they in good faith believe that
 - A. There was some violation of due process.
 - B. The trial court's rulings were erroneous and harmful.
 - C. The findings of fact were contrary to the manifest weight of the evidence.
 - D. All of the above.
10. In order for patients/plaintiffs to win a lawsuit for medical malpractice, there must be
 - A. A legal duty owed by the health care provider to the patient.
 - B. A breach of that duty by the provider.
 - C. A finding that the breach is the legal cause of plaintiff's injury or damage.
 - D. All of the above.
11. Communication breakdown between physician and patient may lead to
 - A. Faulty decision-making.
 - B. Mistrust and hostility.
 - C. A malpractice claim.
 - D. All of the above.
12. In some states a retained foreign body is *prima facie* evidence of negligence, meaning that the defendant bears the burden of proof that the retention was within accepted standards.
 - A. True
 - B. False
13. An advanced health care directive is the best possible assurance that decisions regarding an individual's future medical care will reflect her own ethical choice in the event that she is unable to voice these wishes herself.
 - A. True
 - B. False

14. The living will can address
 - A. Organ or tissue donations.
 - B. Prolonging life.
 - C. Withdrawing treatment.
 - D. All of the above.

15. The living will
 - A. Need not be signed and dated.
 - B. Should be witnessed by four persons.
 - C. Need not adhere to state law.
 - D. None of the above.

16. In addition to a standard operating procedure for critical value call back, each facility must develop escalation procedures to ensure that all critical values are reported to a responsible clinician in the shortest possible period of time.
 - A. True
 - B. False.

17. Critical test results are defined as diagnostic test values that indicate a patient may be in imminent danger if the test result is not communicated and acted upon quickly.
 - A. True
 - B. False

18. Cases involving failures in critical laboratory result reporting
 - A. Usually end in a stalemate because lawyers cannot understand laboratory values.
 - B. Have become a frequent source of lawsuits.
 - C. Both A and B.
 - D. Neither A nor B.

19. Under TRICARE the sources to be consulted to establish that the proposed therapy is considered safe and effective for rare diseases include
 - A. National professional associations.
 - B. Informal “straw votes” taken in the doctors’ lounge.
 - C. News accounts of anecdotal success stories.
 - D. All of the above.

20. The TRICARE benefit is limited to “proven” care.
 - A. True
 - B. False