Medical Law

A course in basic legal principles, medical law and ethics for health practitioners

This course has been specifically designed by the Law Society of South African for health practitioners.

24 CPD Points
Why is this Course Important?
Every health practitioner sometime in his/her career is faced with a legal and/or ethical problem that arises from his/her conduct in executing his/her duties in practice.

This goes beyond the scope of the practitioner's treatment of the patient. It may end up with a claim made against the health practitioner with his/her conduct being assessed by a statutory body or the court.

Had the various health professions been aware of the obligations and limitations the law expects of him/her, the practitioner may have minimised the risk of being sued.

Who Should Attend?
This course is aimed at health professionals: doctors, specialists, dentists, phycologists etc. and other senior medical staff.

Course Accreditation
24 CPD Points

Course Type and Format
The course is divided into two parts (see page 3) which are presented on two consecutive Saturdays. It is recommended that the first part of the course be attended in order to fully understand the second part.

To minimise the risk of malpractice litigation and unnecessary complaints to statutory bodies, it is essential to get to grips with medico-legal aspects both from an ethical perspective as well as what the law expects of the practitioners.

Fees and Venue
R3 762,00: full course fee for both parts (VAT incl)

Should a participant attend only one part of the course, a fee of R2 052,00 (VAT inclusive) will be charged. The course will be held in Midrand and the venue will be confirmed upon confirmation of registration. Lunch/tea/coffee will be provided.

Training Material
LEAD provides a manual on the first day of each training session.

How to Apply?
1. Please complete the registration form and email it to bettie@LSSALEAD.org.za together with:
   - a copy of your identity document/passport;
   - proof of payment or payment details; and

2. Note that for communication purposes, it is important to supply us with all your contact details. LEAD will be unable to confirm a registration without an e-mail address.

3. If you do not receive confirmation of registration from LEAD within five business days, please follow-up with Bettie Lubbe on bettie@LSSALEAD.org.za.

Hours
8:30-16:00 (1-hour lunch and 2 x 30 minute tea breaks)

Closing Date for Registration
Registration closes one week prior to commencement of the course.

About the Law Society of South Africa (LSSA)
The LSSA is the umbrella body for the attorneys’ profession in South Africa. Its mission is to uphold and protect the values and principles of the Constitution, the rule of law and the independence and integrity of the attorneys’ profession. Click here for the history of the LSSA.

Legal Education and Development (LEAD), the educational division of the LSSA, is responsible for the management of the course, in order to assist in achieving the LSSA’s mission in advancing legal compliance, to protect various professionals as well as the general public.

Please Note
LEAD reserves the right to cancel a learning activity should the number of participants not justify the costs involved. Registered participants will be given reasonable notice of cancellation.

Enquiries
For more information, please consult the LEAD website or contact Bettie Lubbe at LEAD.

E-mail: bettie@LSSALEAD.org.za
Tel: +27(0)12 441 4670; Tel: +27(0)12 441 4600 (sb)
Website: www.LSSALEAD.org.za
PART 1: BASIC LAW AND MEDICAL ETHICS  
Accreditation number: MDB005/007/01/2015  
Date: 28 February 2015 (12 CPD points)

The purpose is to equip health care professionals with the necessary understanding of the fundamental principles and the application of the South African law. It is specifically aimed at professionals who have no or little exposure to the law. This one-day course is an overview of the law that governs the medical profession and would greatly assist in understanding the principles discussed in the second part of the course.

Course content
- What is law?
- Sources of the South African Law
- Structures of the Courts
- The Judiciary (the roleplayers)
- Divisions of the Law
  - Criminal law
  - Law of delict
  - Law of contracts
  - Law of evidence
- Medical Ethics

Presenter Part 1: Prof Magda Slabbert  
Prof Slabbert started her academic career with a BA degree from the University of the Free State. In 1985, she returned to Bloemfontein and completed the Higher Educational Diploma. Thereafter, she completed B Proc and LLB degrees through the University of South Africa. She taught various law subjects for nearly ten years at the Tshwane University of Technology in Polokwane.

In 2003, she received the LLD degree in Medical Law from the University of the Free State. In 2004, she did her pupillage at the Pretoria Bar of Advocates and in 2006, she was appointed as a senior lecturer at Unisa. She was promoted to full professor in 2011.

Prof Slabbert was elected the chairperson of the South African Medico-legal Society in 2011, a position that she held until November 2014. She is the author of numerous articles in the field of Medical Law in accredited journals both nationally and internationally. She is also a regular speaker at national and international conferences on topics in Medical Law. She is currently lecturing Professional Ethics and Legal Philosophy in the Department of Jurisprudence in the College of Law, UNISA.

PART 2: MEDICAL LAW FOR HEALTH PRACTITIONERS  
Accreditation number: MDB005/008/01/2015  
Date: 7 March 2015 (12 CPD points)

The purpose is to introduce health care professionals to the laws, which they may not even be aware, which are applicable to them and affect their daily conduct in practice.

Here, not only is the common law and statutory law relevant, but our Constitution also serves as a beacon to what is expected of professionals in the medical world. The below mentioned areas of medical law will be the focal areas.

This course will focus on the main principles of medical law and will include
- Role of doctors as expert witnesses
- The contractual relationship between doctor/hospital and patient
- The doctor/hospital’s duties towards the patient
- The patient’s duties towards the doctors/hospital
- Medical negligence in the civil terrain
- Medical negligence in the criminal terrain
- The requirement of causation in medical negligence cases
- Proving medical negligence
- Grounds of justification
- Medical Law and the constitution
- HPSCA

Presenter Part 2: Dr Henry Lerm  
Dr Henry Lerm is a Doctor in Law and an admitted attorney since 1985. He is a past President of the Attorneys Association of the South Eastern Cape, Port Elizabeth. He has a wide range of experience both in practice, as well as academically and holds the following degrees: B. Proc, LLB, LLM and LLD (Univ. of Pretoria).

Dr Lerm has lectured in both procedural law and adjective law extensively at university level, including the LEAD Practical Law School. He has been engaged by the Law Society of South Africa to draft study material and lecture in various subject matters including Medical law, Constitutional Law and Contract Law. He has appeared in both the lower courts and the High Court in criminal and civil litigation including medical negligence cases and including impact litigation involving constitutional matters.

Dr Lerm has published articles in several law journals and has delivered a number of papers. He is a member of the South African Medico-Legal Society (SAMLs).
Please attach the following to your registration -
- Copy of your identity document/passport  
- Proof of payment or payment details

Please complete the form below in block letters and email it to Bettie Lubbe on bettie@LSSALEAD.org.za or fax it to 086 743 1942. Complete a separate form for each participant.

I am registering for  
(please tick below)

- [ ] Part 1: Basic Law and Medical Ethics: 28 February 2015  
- [ ] Part 2: Medical Law for Health Practitioners: 7 March 2015  

Please tick both boxes to attend both days, it is highly recommended that you attend both days.

### A. Applicant’s Details

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Where did you hear about the course?  
- [ ] SMS  
- [ ] Word of Mouth  
- [ ] Newspaper  
- [ ] Employer  
- [ ] E-mail  
- [ ] Other

If other, please specify:

Employer Details (NB: Complete this section only if the Applicant is being sponsored by his/her Employer)

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Do you need an invoice?  
- [ ] Yes  
- [ ] No. If “yes”, please provide the employer’s VAT number: _____________________

I, _______________________________ (name of the employer’s authorised account signatory) hereby declare the above information to be correct. I accept full responsibility for fees payable to the Law Society of South Africa for the above-mentioned applicant.

Employer Signature
__________________________________  
Date ____________

NB  
Company Stamp

LEAD reserves the right to cancel a learning activity should the number of participants not justify the costs involved. Registered participants will be given reasonable notice of cancellation.
C. Payment Details

BANK DETAILS FOR LSSA

Bank: First National Bank (FNB)  
Account Holder: Law Society of South Africa  
Branch: Pretoria

Branch code: 251445  
Account Number: 62009641079  
Account Ref: (Surname, Initials)

The payment is for:

☐ Day 1 Basic Law and Ethics: R2 052.00 (R1 800 + R252 VAT) | Ref- BLE/Surname/Initials

or

☐ Day 2 Medical Law for Health Practitioners: R2 052.00 (R1 800 + R252 VAT) | Ref no- ML/Surname/Initials

or

☐ Day 1 and 2: R3 762.00 (R3 300 + R462 VAT) | Ref no- LHP/Surname/Initials

Discounted

Responsible for payment: ☐ Applicant  
☐ Employer

Amount : R ______________________

Payment by : ☐ Electronic Funds Transfer (EFT)  
☐ Credit Card (see below)

CREDIT CARD:  
Name of Card Holder :

Card Number:

☐ Master Card  
☐ Visa Card  

Expiry Date ____________________________

Credit card payments must be accompanied by photocopies of both sides of the card.

SIGNATURE FOR APPROVAL ________________________________________

Cancellation

1. A participant who wishes to cancel must do so at least 7 (seven) working days prior to commencement of the selected course.

2. Cancellations must be done in writing and e-mailed to bettie@LSSA.org or faxed to 086 743 1942

3. Confirmation of the cancellation will be confirmed via e-mail. Should a participant not receive a cancellation confirmation from LEAD, it means that the cancellation request was not received. Learners should follow up ASAP or it will mean that he/she will be held liable for the full course amount.

4. Participants who do not cancel and fail to attend the training will be held responsible for the full course amount. The only exceptions are if the reasons for cancellation are one of the following:
   • Death of a close family member (death certificate should be submitted);
   • Severe medical condition which results in the participant no longer being able to continue with the course (medical certificate should be submitted);

5. LSSA/LEAD shall have the right in its sole discretion to postpone or cancel tuition in any programme initially advertised and offered on the basis of insufficient demand. Should the LSSA/LEAD cancel the proposed training, registered participants will be given reasonable notice of the cancellation and all fees paid by the participant will be refunded.

General declaration

6. I agree that having registered for the ☐ Basic Law and Ethics | ☐ Medical Law for Health Practitioners parts, I am liable for the full course fee/s.

7. I am familiar with the outcomes of the course specified above, and fully comprehend the specifics as explained in this document.

8. I acknowledge that payment needs to be made before attendance of the course.

9. I accept that a certificate will be issued only if I comply with the attendance and payment requirements.

10. I acknowledge that I have read and understood the above, and hereby, sign as proof.

I hereby agree to abide by all the terms conditions relating to the Legal Support Staff Training as described in the brochure and registration form.

Applicant’s Signature ____________________________ Date ____________

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