



COURSE SYLLABUS

1. Program identification details

1.1.	“CAROL DAVILA” UNIVERSITY OF MEDICINE AND PHARMACY
1.2.	FACULTY OF MEDICINE
1.3.	DEPARTMENT: 14 ORTHOPEDICS/ICU
1.4.	COURSE TITLE: MEDICAL LEGAL ELEMENTS AND MALPRACTICE
1.5.	FIELD OF STUDY: HEALTH – Sectorally regulated within the European Union
1.6.	CYCLE OF STUDIES (DEGREE): BACHELOR'S DEGREE
1.7.	DEGREE PROGRAME: MEDICINE – ENGLISH MODULE

2. 2. Course identification details

2.1.	Course title: MEDICAL LEGAL ELEMENTS AND MALPRACTICE				
2.2.	Discipline code:				
2.3.	Discipline type (FD/SD/CD): DS				
2.4.	Discipline regimen (MD/OPD/): DOB				
2.5.	Instructor 1. Assoc. Prof. Nanu Codrut Andrei 2. Lecturer Plaiasu Maria Cristina				
2.6.	Seminar facilitators: 1. Assoc. Prof. Nanu Codrut Andrei 2. Lecturer Plăiașu Maria Cristina 3. Assistant Lecturer Patpaiașev Sebastian Teodor 4. Assistant Lecturer Banu Octavian Gabriel 5. Assistant Lecturer Cristina Lungu				
2.7. Year of study	I	2.8. Semester	I, II	2.9. Type of evaluation (E/C)	Written exam and practical exam

3. Estimated workload (hours/semester for didactic activity and individual preparation/study)

I. Academic training (teaching, practical application, assessment)						
3.1. Number of hours/week	2	of which:	3.2. course	1	3.3. seminar/ laboratory	1
3.4. Total number of teaching hours within the program	28	of which:	3.5. course	14	3.6. seminar/ laboratory	14
Evaluation (number of hours): 5						
II. Individual preparation/study: 30						
Time Pool Distribution						hours
Individual study of textbooks, handbooks/reader, recommended bibliography and notes study						15
Additional research (library, electronic resources, potential fieldwork)						10

Carrying out specific activities of preparation for the project, laboratory, preparation of assignments, reports		
Preparation for presentations, final examination		7
Tutoring		
Other activities		
3.7. Total individual study hours		32
3.9. Total hours per semester (3.4.+3.7.)	60	
3.10. Number of credits	3	

4. Preconditions (if necessary)

4.1. of curriculum	
4.2. of competences	

5. Conditions (if necessary)

5.1. to conduct the lecture	PowerPoint presentations, use of multimedia systems, and projector
5.2. to conduct the seminar / laboratory	Equipped with the necessary technology for practical activities

6. Learning outcomes

Knowledge	Skills	Responsibility and autonomy
The student/graduate describes, defines and discusses fundamental principles of social and legal responsibility	The student/graduate applies the concepts in a way that honors the fundamental social values (life, health, bodily integrity)	The student/graduate uses their own knowledge and experiences in the medical education process
The student/graduate uses specific terminology of the medical liability field	The student/graduate correctly defines and describes concepts regarding the professional liability of the physician	The student/graduate applies the concepts learned in other medical educational courses
The student/graduate describes and identifies the legislative framework of patient's rights	The student/graduate correctly identifies in the legislation, defines and describes the patient's rights	The student/graduate applies the concepts studies throughout their university training in the interaction with patients
The student/graduate describes and identifies the legal obligations of the doctor	The student/graduate correctly identifies and applies methods of aligning medical practice with specific legal requirements	The student/graduate evaluates and takes responsibility for their behavior in the future patient-doctor interaction
The student/graduate describes the situations in which the doctor can be exonerated from medical civil liability	The student/graduate correctly interprets the limits of the individual liability of the physician	The student/graduate integrates individual and institutional responsibility into a unitary model of practice
The student/graduate describes, explains and analyzes the role of professional civil liability insurance	The student/graduate identifies the limits of the insurance contracts.	The student/graduate evaluates and argues the effects of the medical professional liability insurance contracts

7. Course objectives (aligned with the learning outcomes)

7.1. General objective	Assimilation of vital knowledge and skills for the management of current cases and complex situations of medical practice, in accordance with the legal provisions
7.2. Specific objective	To acquire an in-depth knowledge and a clear understanding of the legal requirements to develop an effective and safe medical practice.

8. Contents

8.1. Lecture	Teaching methods	Observations
Lecture 1: The Concept of Professional Responsibility and its Implications for Medical Practice	Lecture – interactive presentation of the material, according to the curriculum, with the use of multimedia means (PowerPoint presentations, visual materials, digital resources).	1 lecture
Lecture 2: Areas of application of medical legislation – Informed patient consent • Patient competence • The process of obtaining the consent • Exceptions • Unjustified scientific refusal • Legal Formulation	Lecture – interactive presentation of the material, according to the curriculum, with the use of multimedia means (PowerPoint presentations, visual materials, digital resources).	1 lecture
Lecture 3: Areas of application of medical legislation – Privacy and patient rights • Privacy of medical data • Patient access to their own medical data • Right to a second medical opinion • Media access to medical information	Lecture – interactive presentation of the material, according to the curriculum, with the use of multimedia means (PowerPoint presentations, visual materials, digital resources).	1 lecture
Lecture 4: Areas of application of medical legislation – Rights and limits in the exercise of the medical profession Topics addressed: • Regulations regarding patients' fair access to treatment; • The principle of non-discrimination in medical practice;	Lecture – interactive presentation of the material, according to the curriculum, with the use of multimedia means (PowerPoint presentations, visual materials, digital resources).	1 lecture

• Legal restrictions on carrying out the medical act exclusively within one's own specialty; • Legal implications of doctors' participation in medical education activities.		
Lecture 5: Malpractice and risk management (vulnerabilities, risk management, liability insurance).	Lecture – interactive presentation of the material, according to the curriculum, with the use of multimedia means (PowerPoint presentations, visual materials, digital resources).	1 lecture
Lecture 6: The Role of Clinical Guidelines and the New Challenges of Medical Practice • The role of clinical guidelines in regulating medical practice • Legal implications of telemedicine • Legal implications of the use of artificial intelligence in medicine	Lecture – interactive presentation of the material, according to the curriculum, with the use of multimedia means (PowerPoint presentations, visual materials, digital resources).	1 lecture
Lecture 7: Legal mechanisms for exonerating the doctor's professional civil liability and analysis of contemporary doctrinal trends.	Lecture – interactive presentation of the material, according to the curriculum, with the use of multimedia means (PowerPoint presentations, visual materials, digital resources).	1 lecture
Recent Bibliography		
8.2. Seminar/practical training	Teaching methods	Observations
S 1 Analysis of the cases solved by the courts regarding medical liability to identify the types of legal liability of the doctor	Case studies, brainstorming, individual presentations	1 LP session
S 2 Consent form – legal requirements, usage, simulation of use in the process of obtaining consent, analysis of national (Romanian) and international jurisprudence regarding the legal consequences of the lack of consent.	Case studies, individual presentations, debate, teamwork.	1 LP session
S 3 Analysis of and comments on legal cases solved by the courts regarding the management of medical data, the relationship with the press in case of a malpractice charge	Case studies, debate	1 LP session
S 4 Analysis of and comments on legal cases solved by the courts, limitation of	Case studies, debate	1 LP session

medical practice to one's own specialty, analysis of administrative acts/customs regarding patients' access to treatment, discrimination, participation in medical education.		
S5 Identifying the procedural differences between the various ways of incurring legal liability, analysis of professional liability insurance models, communication with the patient, the medical institution and third parties in the event of an accusation of malpractice	Case studies, debate	1 LP session
S6 Analysis of types of clinical guidelines and operational procedures. Case studies on telemedicine and AI.	Case studies, debate	1 LP session
S7 Analysis of examples from national (Romanian) and international doctrine and caselaw regarding the extent of the doctor's legal liability	Case studies, debate	1 LP session
Recent course and seminar bibliography The Code of Medical Ethics of the Romanian College of Physicians Kuglay I., Criminal Liability for Medical Malpractice, C.H. Beck, 2021 Law 95/2006 on health reform, amended and supplemented Michael Preston-Shoot & Judy McKimm, „Towards effective outcomes in teaching, learning and assessment of law in medical education”, Medical Education 2011: 45: 339–346 New Civil Code republished 2011. Law 287/2009 on the Civil Code Nanu A., Medical Malpractice – 7 Safety Instructions, ed. Lidana, ISBN 978-606-8160-60-3, 2012 Nanu, R., Practical guide on the liability for malpractice of doctors in case of using robots with artificial intelligence, Universul Juridic, Bucharest, 2024 Nasui G., Medical Malpractice – the particularities of medical civil liability, relevant internal jurisprudence, malpractice of liberal professions, ed. III, Juridic Universe, Bucharest, 2024 MS Order no. 1411/2016 regarding the approval of the Methodological Norms for the application of Title XVI "Civil liability of medical personnel and of the provider of medical, sanitary and pharmaceutical products and services" of Law no. 95/2006 on health reform MS Order no. 1410/2016 on the approval of the Norms for the application of the Patient Rights Law no. 46/2003 MS Order no. 446/2017 of April 18, 2017 regarding the approval of the Standards, Procedure and Methodology for the evaluation and accreditation of hospitals The Regulation on the organization and functioning of the monitoring and professional competence commission for malpractice cases, approved by the Order of the Minister of Public Health no. 1.343/2006, Beatrice I, Nanu A., Rotariu I., Professional Liability in Medical Practice, ed. Junimea, 2017 Pena A., Medical Malpractice – National and European Jurisprudence, Universul Juridic, Bucharest, 2024 Steinert Y1, Mann K, Centeno A, Dolmans D, Spencer J, Gelula M, Prideaux D.: „A systematic review of faculty development initiatives designed to improve teaching effectiveness in medical education: BEME Guide No. 8.”, Med Teach. 2006 Sep; 28(6):497-526. Tanase A., Civil liability for medical malpractice, Universul Juridic, Bucharest, 2024 Teaching medical ethics and law within medical education: a model for the UK core curriculum, Journal of Medical Ethics 1998; 24:188-192 Theisler C., Maximum Malpractice Protection, Ayer Publishing, 2020		

9. Evaluation

Activity type	9.1. Evaluation criteria	9.2. Evaluation methods	9.3. Percentage in the final grade
9.4. Lecture	Knowledge of the terminology used; Understanding the legal concepts presented; Ability to apply the knowledge gained to align the practice with applicable legal requirements	Written exam (30 simple complement questions)	70%
9.5. Seminar/ practical activity	Appropriation of the concepts explained during the course and the practical sessions; The ability to identify the proper conduct to be followed in particular situations; The ability to correctly use the legal documents necessary for the practice	Practical exam in front of the group assistant (analysis of a case study according to the topics discussed, individual presentation of the conclusions)	30%
9.5.1. Individual project (if any)	-	-	-
9.6. Minimum performance standard: Minimum 50% for each component of the assessment			

Completion date:

Signature of the instructor
Associate Professor
Nanu Codruț-Andrei

Signature of seminar facilitator
Associate Professor
Nanu Codruț-Andrei

Approval date by the
Department Council:

Signature of the Department Director
Professor
Rădulescu Adrian Radu