The University of Texas Medical Branch

Robotic Surgery
University of Texas Medical Branch
Galveston, Texas

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BUSINESS

- IDENTIFY MARKET
- CREATE
ART

• CREATE

• IDENTIFY MARKET
Medical Legal Review of Liability Risks for Gynecologists Stemming from Lack of Training in Robot-Assisted Surgery

By Yu L. Lee, BA, Gokhan S. Kilic, MD, and John Y. Phelps, MD, JD, LLM
Liability Exposure for Surgical Robotics Instructors

By Yu L. Lee, BA, Gokhan S. Kilic, MD, and John Y. Phelps, MD, JD, LLM
Elements of a Medical Malpractice Claim

- Duty
- Breach
- Damages
- Causation
Standard Injured Patient has to Prove

• Medical Probability
  – More than 50%
• Not Medical Certainty
Alternative Causes of Action against Inexperienced Robotic Surgeons

• Lack of Informed Consent
• Negligent Credentialing
Boone v. Goldberg
Maryland 2006

• The patient alleged that the physician had not informed him that the physician had performed only 1 revisionary mastoidectomy in the last 3 years,

• The Maryland court ruled in favor of the patient and awarded $943,000.
Suggested implications

- Attending MIS conferences regularly
- AAGL- COEMIG collaboration
- Reading materials
- Sharing ideas
Conclusion

• Know Legal Issue in your local area
• Tailor your own institutional regulations
• Continue training
• Quality control in regular basis