

## CHART OF DISCIPLINE/ SYLLABUS

### 1. Study Program Data

1.1 High Education Institution	<b>VICTOR BABEȘ” UNIVERSITY OF MEDICINE PHARMACY TIMIȘOARA</b>
1.2 Faculty	<b>FACULTY OF DENTAL MEDICINE</b>
1.3 Department	<b>I</b>
1.4 Study Domain <sup>1)</sup>	<b>BACHELOR/HEALTH</b>
1.5 Cycle Studies <sup>2)</sup>	<b>BACHELOR</b>
1.6 Study programme/ Qualification	<b>DENTAL MEDICINE</b>

### 2. Course Data

2.1.Course/Department	<b>JURIDICAL ASPECTS IN MEDICAL MALPRACTICE</b>							
2.2 Course tutor	Prof.univ.dr. Ramona Amina Popovici							
2.3 Practical activity tutors	Asist.univ.drd. Raluca Mioara Cosoroabă							
2.4. Year of study	<b>V</b>	2.5 Semester	<b>II</b>	2.6 Assessment	<b>C</b>	2.7 Course rank	Content <sup>3)</sup> Mandatory /Compulsory <sup>3)</sup>	<b>DS</b> <b>DO</b>

### 3. Duration/Estimated Time (number of hours/ semester of teaching activity)

3.1 Number of hours/ week	<b>2</b>	3.2 lecture/course	<b>1</b>	3.3 laboratory	<b>1</b>
3.4 Total hours of curriculum	<b>28</b>	3.5 lecture/course	<b>14</b>	3.6 laboratory	<b>14</b>
Time distribution for course activities					hours
Study support- manuals, lectures, references and notes					-
Additional documentation – library, dedicated platforms from domain					-
Documentation for seminars/ practical activity/ projects, themes, portofolios and essays					-
Tutoring					-
Assessment					-
Other activities					-
3.7 Total number of hours for individual study	*				
3.8 Total number of hours per semester	<b>28</b>				
3.9 Number of credits <sup>5)</sup>	<b>1</b>				

### 4. Preconditions (if applicable and requested)

4.1 Courses- studied curriculum / rules for attending the course	Not applicable
4.2 Practical activities/seminars/projects studied curriculum, basic skills/ rules for attending the course	Not applicable

### 5. Condition (if applicable and requested)

5.1 Courses	<ul style="list-style-type: none"> <li>• Mobile phones will be turned off during classes, telephone conversations will not be tolerated during the course, nor will students leave the classroom in order to take personal phone calls;</li> <li>• The audio and / or video recording of the teaching activity is done only with the written consent of the one who leads it and without violating the intellectual property rights;</li> </ul>
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	<ul style="list-style-type: none"> <li>• The multiplication, in any form, of the records of the didactic activity by the students or by other persons is allowed only with the written consent of the respective teacher;</li> <li>• Delay of students in class will not be tolerated, as it proves to be disruptive to the educational process;</li> <li>• Attendance at the course is mandatory, being accepted a maximum of 50% of total absences;</li> <li>• Absences from class are not recovered until within the same week, with another series, if possible;</li> <li>• Students who accumulate absences from courses in an amount of over 50% will be allowed to present the theoretical test in the reexamination session and, respectively, the re-re -examination (in the conditions of non-presentation / non-promotion in the exam session);</li> <li>• Room equipped with laptop and video projector.</li> </ul>
5.2 Laboratory/practical activity/ project	<ul style="list-style-type: none"> <li>• The mobile phones will be closed during the laboratories, telephone conversations during the laboratory will not be tolerated, nor will the students leave the room in order to take personal phone calls;</li> <li>• The audio and / or video recording of the teaching activity is done only with the written consent of the one who leads it and without violating the intellectual property rights;</li> <li>• The multiplication, in any form, of the records of the didactic activity by the students or by other persons is allowed only with the written consent of the respective teacher;</li> <li>• Delay of students in the laboratory will not be tolerated, as it proves to be disruptive to the educational process;</li> <li>• Attendance at internships / practical works is mandatory, being accepted a maximum of 20% of total absences;</li> <li>• Absences accumulated by students in labs / practical work in an amount higher than allowed (20%) can be recovered, for a fee, within 30% of the total number of hours, during the periods established by each discipline, depending on its specificity, preferably outside part-sessions;</li> <li>• The practical exam will be held in the last week of the semester or in the ordinary session, from the topic of practical works / laboratories / internships displayed in advance;</li> <li>• The date of the final exam at the end of the semester is set by the holder in agreement with the students. For objective reasons, students may be approved to take the exam with another series, if necessary.</li> </ul>

## 6. Key competencies and basic skills

<b>Professional Competencies</b>	<ol style="list-style-type: none"> <li>1. The acquisition by students of the notion, principles and functions of medical civil liability;</li> <li>2. Defining the specific concepts of medical malpractice;</li> <li>3. Critical evaluation and analysis of the legal texts in the matter of legal liability of the dentist for the damages caused to the patients by performing the medical act in a defective manner;</li> <li>4. The legal framework of a factual situation in dental medical practice.</li> </ol>	
<b>Transversal Competencies</b>	<ol style="list-style-type: none"> <li>1. Critical and constructive reflection</li> <li>2. Identifying, creating, capitalizing and promoting opportunities for continuous and effective training of learning resources and techniques for your own development</li> <li>3. Identifying roles and responsibilities in a team and applying effective communication and work techniques within it.</li> </ol>	

## 7. Disciplines/Course objectives (based on the key competences)

7.1 Disciplines/Course general objectives	- the transmission to the students and their appropriation of the legal provisions regarding the civil liability of the medical staff and the provider of medical services, sanitary materials, equipment, medical devices and medicines for the damages caused to patients by performing the medical act in a defective manner	
7.2 Disciplines/Course specific objectives	- acquisition and use by students of the concepts, theories, principles and methods specific to national legislation applicable in the medical field; - the transmission and interpretation of the Romanian legislation in the matter of the legal liability of the medical personnel, which leads to its knowledge by the students.	

## 8. Content

8.1 Course	Teaching method	Number of hours	Notification
1. The notion, principles and functions of medical civil liability	INTERACTIVE LECTURE	1	The courses are made in the form of power point presentations, played with the help of the video projector;
2. General conditions of civil liability of medical personnel		1	
3. The special conditions of civil liability of medical personnel		1	
4. The foundation, modification and removal of the civil liability of medical personnel		1	
5. The general conditions of civil liability for the own deed of public or private healthcare units, as providers of medical services		1	Each course begins with the presentation of the main topics to be discussed by the holder together with the students during the course, ending with the summary of the notions taught;
6. The special conditions of civil liability for the own deed of public or private healthcare units, as providers of medical services		1	
7. Causes that exclude civil liability for the medical service provider's own act		1	
8. Civil liability of public or private healthcare units providing medical services, as principals, for the acts of the employed medical personnel, as subordinates		1	
9. Civil liability for defective products of public or private health facilities, providers of medical services, non-medical service providers and manufacturers of medical equipment and devices, medicinal substances and sanitary materials.		1	The taught material is reviewed and supplemented with current information in the field of management in dental medical practice.
10. Legal action for medical compensation		1	
11. Judicial assessment of interest damages		1	
12. Categories of indemnifiable damages in the matter of medical civil liability.		1	
13. Ways to extinguish the mandatory medical civil liability legal relationship		2	

**Mandatory references:**

1. Toader E., Consimțământul informat în legislația sanitară, Ed. Gr.T.Popa, Iași, 2015;
2. Vida-Simiti I., Răspunderea civilă a medicului, Ed. Hamangiu, București, 2013;
3. Cimpoeru D., Malpraxisul, Ed. C.H.Beck, București, 2013;
4. Năsui G.A., Malpraxisul medical, Ed. Universul Juridic, București, 2016;
5. Legea nr. 95/2006 privind reforma în domeniul sănătății;
6. Legea nr. 46/2003 privind drepturile pacienților;
7. Norme din 12 decembrie 2016 de aplicare a Legii drepturilor pacientului nr. 46/2003;
8. Normele metodologice de aplicare a Titlului XVI «Răspunderea civilă a personalului medical și a furnizorului de produse și servicii medicale, sanitare și farmaceutice» din Legea nr. 95/2006 privind reforma în domeniul sănătății

**Optional references:**

1. Toader E., (editor), Riscul pentru malpraxis în actul medical, Ed. Gr.T.Popa, U.M.F. Iași, 2017;
2. Toader E., Fundamentul etic și juridic al consimțământului informat în practica clinică și în cercetare, Ed. Gr.T.Popa, Iași, 2016;
3. Călin R.M., Malpraxis. Răspunderea medicului și a furnizorilor de servicii medicale. Practică judiciară, Ed. Hamangiu, București, 2014.

<b>8.2 Seminars/ Laboratory/practical activity/ projects</b>	<b>Teaching- learning, methods</b>	<b>Num ber of hours</b>	<b>Notification</b>
1. The notion, principles and functions of medical civil liability – application discussions	LECTURE+ DEBATE	1	
2. The general conditions of the civil liability of the medical personnel – analyzing a case from judicial practice		1	
3. The special conditions of the civil liability of the medical personnel - analyzing a case from judicial practice		1	
4. The foundation, modification and removal of civil liability of medical personnel – case study		1	
5. The general conditions of civil liability for the own deed of public or private health units, as providers of medical services –analysis of a case from judicial practice		1	
6. The special conditions of civil liability for the own deed of public or private health units, as providers of medical services - analysis of a case from judicial practice		1	
7. Cases that exclude civil liability for the medical service provider's own act - discussions		1	
8. The civil liability of public or private healthcare units providing medical services, as principals, for the acts of the employed medical personnel, as subordinates - analysis of a case from judicial practice		1	
9. Civil liability for defective products of public or private health facilities, providers of medical services, providers of non-medical services and manufacturers of medical equipment and devices, medicinal substances and sanitary materials - discussions		1	
10. The legal action for the granting of compensation in medical matters - analysis of a case from judicial practice		1	
11. Judicial assessment of damages – case study		1	

12. Categories of indemnifiable damages in the field of medical civil liability - case study		1	
13. Ways to extinguish the mandatory legal relationship of medical civil liability - discussions		2	
<b>Mandatory references:</b> <ol style="list-style-type: none"> <li>1. Toader E., Consimțământul informat în legislația sanitară, Ed. Gr.T.Popa, Iași, 2015;</li> <li>2. Vida-Simiti I., Răspunderea civilă a medicului, Ed. Hamangiu, București, 2013;</li> <li>3. Cimpoeu D., Malpraxisul, Ed. C.H.Beck, București, 2013;</li> <li>4. Năsui G.A., Malpraxisul medical, Ed. Universul Juridic, București, 2016;</li> <li>5. Legea nr. 95/2006 privind reforma în domeniul sănătății;</li> <li>6. Legea nr. 46/2003 privind drepturile pacienților;</li> <li>7. Norme din 12 decembrie 2016 de aplicare a Legii drepturilor pacientului nr. 46/2003;</li> <li>8. Normele metodologice de aplicare a Titlului XVI «Răspunderea civilă a personalului medical și a furnizorului de produse și servicii medicale, sanitare și farmaceutice» din Legea nr. 95/2006 privind reforma în domeniul sănătății.</li> </ol> <b>Optional references:</b> <ol style="list-style-type: none"> <li>1. Toader E., (editor), <i>Riscul pentru malpraxis în actul medical</i>, Ed. Gr.T.Popa, U.M.F. Iași, 2017;</li> <li>2. Toader E., <i>Fundamentul etic și juridic al consimțământului informat în practica clinică și în cercetare</i>, Ed. Gr.T.Popa, Iași, 2016;</li> <li>3. Călin R.M., <i>Malpraxis. Răspunderea medicului și a furnizorilor de servicii medicale. Practică judiciară</i>, Ed. Hamangiu, București, 2014.</li> </ol>			

**9. Corroboration of the contents of the discipline with the expectations of representatives of epistemic communities, professional associates and representative employers in the field related to the program**

After completing the topic, students should have a number of notions in the field regarding the existing legal regulations in force regarding the civil liability of the medical staff and the provider of medical services, sanitary materials, equipment, medical devices and medicines for the damages caused patients through the medical act performed in a defective manner.

**10. Assessment**

Activity	10.1 Assessment criteries	10.2 Assessment methods	10.3 Percentage of the final grade
10.4 Course	<p><i>Knowledge for grade 5:</i></p> <ul style="list-style-type: none"> <li>- knowledge of the main notions regarding medical civil liability in relation to national legislation</li> </ul> <p><i>Knowledge for grade 10</i></p> <ul style="list-style-type: none"> <li>- analyzing the legal regime of medical civil liability</li> </ul>	<i>Editorial subject</i>	50%

	- differentiating the civil liability of medical personnel from the liability of suppliers of medical, sanitary and pharmaceutical products and services		
10.5 Practical activity/ seminar	<p><i>Knowledge for grade 5</i></p> <p>- identification within the case subject to analysis of the main legal aspects (rules) that were violated by the dentist</p> <p><i>Knowledge for grade 10</i></p> <p>- the corroboration of the legal provisions with the case deduced from the analysis</p>	<i>Editorial subject</i>	50% (The grade of the practical exam will include, as the case may be, the note related to the activity along the way, which can represent up to 20% of the mark of the practical exam)
10.6 Minimum performance standard-basic knowledge			
To meet the criteria regarding the minimum number of attendances at the course and the seminar.			

Date	Signature of the course holder Prof.univ.dr. Ramona Amina Popovici	Signature of the laboratory/seminar holder Asist.univ.dr. Raluca Mioara Cosoroabă
Signature of the Head of Discipline Prof.univ.dr. Ramona Amina Popovici		
Date of approval in the Department	Signature of the Head of Department Prof. Univ.Dr. Daniela Elisabeta Jumanca	

Notes:

- 1)Field of study - choose one of the options: Bachelor's/ Master's/ Doctorate (to be completed according to the Nomenclature of fields and specializations/ university study programs in force);
- 2) Study cycle - choose one of the options: Bachelor's/ Master's/ Doctorate;
- 3) Discipline regime (content) - choose one of the options: DF (fundamental discipline)/ DD (discipline from the field)/ DS (specialized discipline)/ DC (complementary discipline) - for the undergraduate level; DAP (deepening discipline)/ DSI (synthesis discipline)/ DCA (advanced knowledge discipline) - for the master's level;
- 4) Discipline regime (compulsory) - choose one of the variants: DI (compulsory discipline)/ DO (optional discipline)/ DFac (facultative discipline);
- 5) One credit is equivalent to 25-30 study hours (teaching activities and individual study).

\* number of hours of individual study (point 3.7.)= total number of hours (number of credits X 25) minus no. hours from the education plan (point 3.4) – hours allocated for examinations. These hours are divided between

Study according to the textbook, course support, bibliography and notes	
Additional documentation in the library, on specialized electronic platforms and in the field	
Preparation of seminars/laboratories/projects, assignments, reports, portfolios and essays	
Tutoriat	

6)For the specializations and/or subjects whose subject is found in the residency bibliography, this becomes mandatory.