

**Young man with abnormal ECG sent home and died of a heart attack
(02HDC01833, 30 September 2003)**

General practitioner ~ Accident and Medical Clinic ~ Standard of care ~ ECG misread ~ Missed diagnosis of acute myocardial infarction ~ Impaired practitioner ~ Right 4(1)

This case concerned a GP at an Accident and Medical Clinic who, while impaired by concussion, misread an electrocardiogram (ECG) that showed obvious signs of heart ischaemia. The patient, a 36-year-old-male, was sent home, where he suffered a heart attack and died.

The issue was whether the GP departed from acceptable professional standards by reference to the standard of a responsible medical practitioner, not a responsible medical practitioner suffering from an unknown disability such as concussion. On this basis the GP, by failing to recognise that the ECG was abnormal, and consequently not arranging for urgent admission to hospital, failed to demonstrate reasonable knowledge, care and skill in assessing and treating the patient, which amounted to a major departure from professional standards, and a breach of Right 4(1) of the Code. While personal circumstances cannot properly be taken into account to dilute the professional duty of care, the Commissioner took the GP's personal circumstances into account in determining that further action was not required. The GP did not know that he was impaired, and felt a duty to turn up for work.

It was also commendable that the GP had visited the widow promptly, offering his condolences and apologising for any shortcomings.

The medical centre was not vicariously liable for the breach of the Code, even though it did not have any policies or procedures in place at the time to ensure that its clinical staff did not work while impaired or unwell. It could not reasonably have prevented an impaired, but apparently functioning, doctor from continuing to work and committing the sort of error the GP made.