



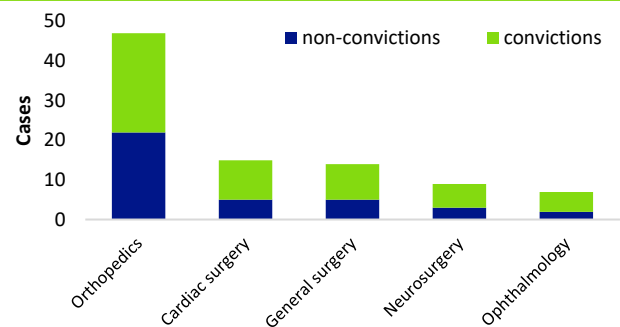
Judgements of the civil court of Rome: HAI-related liability and compensation

Healthcare-associated infections (HAI) are a source of liability for healthcare facilities and can lead to compensation payments for harmed patient.

Retrospective review of judgements regarding HAIs at the Civil Court of Rome

STUDY RESULTS

Over a period of 5 years 140 verdicts were issued regarding liability for HAI. In 62.8% of cases convictions were reached, which mostly accounted for orthopedics cases. The total paid compensation amounts to about EUR 21,000,000. The three most frequently involved pathogens were *Staphylococcus aureus*, *Pseudomonas aeruginosa*, and *Klebsiella pneumoniae*.



STUDY DESIGN

Analysis of all judgements regarding HAI of the Civil Court of Rome during the study period

STUDY PERIOD



January 2016 to December 2020 (5 years)

ASPECTS ANALYSED



Number of HAI-related judgements per year



Involved surgical fields



Involved parties



Microorganisms involved in HAI



Number of cases and related convictions



Compensations paid





BACKGROUND

Healthcare-associated infections (HAI) are a risk for patients' health and increase healthcare costs worldwide. Infections acquired during a healthcare service can result in liability lawsuits for a healthcare facility and lead to compensation payments for harmed patients.

GOAL

The aim of the study was to analyse the professional liability related to HAIs.

DESIGN AND METHODS

In this retrospective review all judgements of the judges of the Civil Court of Rome, XIII section, published between January 2016 and December 2020 were analysed. Relevant cases were selected based on:

- Database searching for the keywords "medical liability" and "medical professional"
- Duplicates were removed
- Exclusion of records not concerning medical professional liability
- Exclusion of records not concerning healthcare-associated infections

Collected data:

- Judgement number
- Occurrence year
- Publication year of the judgement
- Medical specialty involved
- Type of negligence/liability sued and recognised
- Type of damage (injury/death)
- Type or parties involved (public/private facility or single healthcare worker)
- Outcome of trial
- Compensation paid

RESULTS

- 140 verdicts were issued with 88 convictions
- In 68.3% of cases involving public health facilities they were recognised liable and sentenced to award compensation
- In 29.3% of cases both physician and facility were sued
- Orthopedic, cardiac, and general surgery were the surgical fields involved most often
- Most common pathogens:
 - *S. aureus* (20%)
 - *P. aeruginosa* (14%)
 - *K. pneumoniae* (12%)
 - *Enterococci* (9%)
- Deaths occurred in 45 of 140 cases (32.1%)

Compensation paid in the period of investigation

Total compensation	21,243,184.43 €
Minimum	2,074.50 €
Mean	241,399.82 €
Maximum	1,483,268.15 €
Sum for surgical site infections	8,782,343.41 €
Sum for non-fatal cases	3,912,013.60 €
Sum for fatal cases	16,343,449.60 €

CONCLUSION

The analysis of the juridical and medico legal aspects of HAI show that liability of healthcare institutions is often recognised, resulting in compensation for harmed patients.

