Index

```
ABANDONMENT, 5(4)(a)
ACTION FOR BREACH OF CONFIDENCE AND INVASION OF
   PRIVACY, 1(2)(d)
ACTIVE DEFENCES, 6(2)
ADMISSIONS, 7(2)(c)
ADVANCE DIRECTIVES, 2(6)(b)(i)(D)
ADVERSE EVENTS, 3(6), 13(1)(d)
AIDS. See HIV
ALLERGIC REACTION, 5(5)(e). See also DRUGS AND INJECTIONS
ANAESTHESIOLOGY, 4(3)(b)(ii), 5(5)(c), 10(2)(d), 11(4)(d)
ANENCEPHALIC NEWBORNS, 2(7)(b)(iii)
ANOREXIA NERVOSA, 2(6)(b)(i)(B)
APPORTIONMENT LEGISLATION, 6(4)
APPROVED PRACTICE
    effect of Korn, 6(2)(b)
    effect of non-compliance, 6(2)(d)
    Korn decision, 6(2)(a)
    proof, 6(2)(c)(ii)
    relevant date, 6(2)(c)(i)
    respectable minority principle, 6(2)(c)(iii)
BATTERY, 2(8), 3(2)
BLOOD SAMPLE, 2(2), 2(5)(b)
BORROWED SERVANT RULE, 11(4)(c)
BREACH OF CONTRACT. See CONTRACT ACTION
"BUT FOR" TEST, 4(5)(a)
CAPACITY, 2(6)(b)
    adults with disabilities, 2(6)(b)(i)
       advance directives, 2(6)(b)(i)(D)
       assessing capacity, 2(6)(b)(i)(A)
       proxy appointment, 2(6)(b)(i)(D)
       substitute consent, 2(6)(b)(i)(B)-(C), 2(6)(b)(i)(E)
    doctor's responsibility, 2(6)(b)(i)(H)
CARDIOPULMONARY RESUSCITATION (CPR), 5(5)(g)
```

```
CASTS, 5(5)(f), 6(2)(b)
CAUSATION
    informed consent
        alternative treatment, 3(5)(b)(ii)
        double test of causation, 3(5)(b)
        factors to consider, 3(5)(b)(ii)
        modified objective test, 3(5)(a), 3(5)(d)
        other causal links, 3(5)(c)
        statistics, 3(5)(b)(i)
        subjective test, 3(5)(a)(i)
     negligence
        combined negligence, 4(5)(h)
        factual causation, 4(5)(a)
        loss of a chance, 4(5)(g)
        proximate cause, 4(5)(h)
        thin-skull rule, 4(5)(h)
CAUSE-IN-FACT, 4(5)(a)
CHILD ABUSE, 1(2)(c)(iv)
CHILD IN NEED OF PROTECTION, 2(6)(b)(ii)(C)
CHILDREN
     assessing capacity, 2(6)(b)(ii)(A)
     consent, and other medical procedures, 2(7)(d)
     control of menstruation, 2(7)(c), 2(7)(e)
     limitation periods, and, 6(5)(e)
     non-regenerative tissue transplantation, 2(7)(b)(i)
     overriding mature minor's consent, 2(6)(b)(ii)(B)
     overriding parental refusal of consent, 2(6)b)(ii)(D)
     parental consent, 2(6)(b)(ii)(C)
     parental refusal, 2(6)(b)(ii)(D)
     regenerative tissue transplantation, 2(7)(b)(i)
     research, 2(7)(a)
     sterilization, 2(7)(c)
CIRCUMSTANTIAL EVIDENCE, 7(3)(a)
CMPA MEMBERSHIP FEES, 13(1)(b)(iii)
COMMON RISKS, 3(3)(c)(iii)
COMMUNITY EXPECTATIONS, 11(3)(a)(i)
CONFIDENTIALITY. See also PRIVILEGE
     action for breach of confidence and invasion of privacy, 1(2)(d)
     AIDS/HIV, 1(2)(c)(iv), 1(2)(d)
     aviation hazard, 1(2)(c)(iii)
     basis for, 1(2)(a)
     child abuse, 1(2)(c)(iv)
     child welfare legislation, 1(2)(c)(iii)
     elder abuse, 1(2)(c)(iv)
```

```
express consent of patient, 1(2)(c)(ii)(A)
     Hippocratic Oath, 1(2)(c)(ii)(B)
     implied consent of patient, 1(2)(c)(i)
     mandatory exceptions, 1(2)(c)(i)
     permissive exceptions, 1(2)(c)(i)
     psychiatrist/psychologist, 1(2)(b), 1(2)(c)(iv), 4(2)(d)(ii)
     public interest exception, 1(2)(c)(iv)
     statutory exceptions, 1(2)(c)(iii)
     testimony in court room, 1(2)(b)
     unfit to drive, 1(2)(c)(iii)
     waiver, 1(2)(c)(iii)(B)
CONSCIENTIOUS OBJECTION
     duty of effective referral, 5(4)(a)
     medically assisted death, 2(7)(d)
CONSENT
     battery, and, 2(8), 3(2)
     capacity, 2(6)(b). See also CHILDREN, MENTAL DISABILITY
     coercion/undue influence, 2(6)(a)(i)
     confidentiality, and, 1(2)(c)(i)-(iii)
     denial of existence of disease, 2(6)(b)(i)(A)
     elements of valid, 2(6), 2(6)(a)
     emergencies, 2(5)(b)
     exceptions to requirement, 2(5)
        codifying legislation, 2(5)(a)(iii)
        emergencies, 2(5)(b)
        mental health legislation, 2(5)(a)(ii)
        public health legislation, 2(5)(a)(i)
     express, 2(3)(a)
     hospitals, 2(6)(c)(ii)
     implied, 2(3)(b)
     informed, 2(6)(d). See also INFORMED CONSENT
     introduction, 2(1)
     mature minor, refused, 2(6)(b)(ii)(B)
     mental health legislation, 2(5)(a)(ii)
     misrepresentation, 2(6)(a)(ii)
     pre-operative sedation, 2(6)(a)(i)
     public health legislation, 2(5)(a)(i)
     refusal of treatment, 2(2)
     research, 2(7)(a). See also RESEARCH AND EXPERIMENTATION
     scope of, 2(6)(c)
     spouse, of, 2(6)(b)
     sterilization, 2(7)(c)
     substitute, 2(6)(b)(i)(B), 2(6)(b)(i)(C)
     transplantation, 2(7)(b)
     treatment to be performed, 2(6)(c)
```

```
voluntariness, 2(6)(a)
    withdrawal of, 2(4)
CONSPIRACY OF SILENCE, 7(3)(c)(i)
CONTRACT ACTION
    advantages, 9(3)(c)
    damages, 9(3)(d)
    elements/prerequisites, 9(3)(a)
    guarantee of success, 9(3)(b)
    hospitals, 11(2)
    implied warranty that materials fit for purpose for which supplied, 9(3)(d)
    limitation period, 9(3)(c)
CONTRIBUTORY NEGLIGENCE, 6(4)
COST CONTAINMENT POLICIES
    duty to inform of alternative treatments, 3(4)(a)(iv)
    standard of care, and, 4(3)(b)(iii)(D)
COSTS, 8(3)(c), 13(1)(d)
CRIMINAL LIABILITY, 9(5)
    criminal negligence, 9(5)
    parental refusal, 2(6)(c)
CROSS-EXAMINATION, 8(2)(c)(iii)
DEFENCES, 6
    active, 6(1)
    approved practice, 6(2). See also APPROVED PRACTICE
    contributory negligence, 6(4)
    defamation, 9(4)
    error of judgment, 6(3)
    failure to mitigate, 6(4)(c)
    limitation period, 6(5). See also LIMITATION PERIODS
    passive, 6(1)
    therapeutic privilege, 3(4)(g)
    waiver of liability, 6(6)
DEFENSIVE MEDICINE, 13(1)(b)(iv)
DELEGATION OF DUTIES TO PATIENT, 5(6)
DIRECT EVIDENCE, 7(3)(a)
DISCLOSURE OF ERRORS, 3(6), 6(5)(f)
DISCOVERABILITY RULE, 6(5)(d)
DOCTOR
    defendant, as, 8(3)
    delegation of duties to patient, 5(6)
    direct liability, 10(4)
    disciplinary proceedings, 3(4)(a)(iv)
    disclosure of being HIV+, 12(4)(c)(v)
```

```
fiduciary, as, 1(1)(b), 1(2)(a), 3(4)(a)(iii)
    freedom of choice, 1(1)(c)
    illegibility of handwriting, 5(5)(e)(iii)
    independent contractors, as, 11(4)(b)
    independent court expert, as, 8(1)
    mentally ill patients, and, 2(6)(b)(i)(G)
    office records, 12(2)(b)
    witness, as. See EXPERT WITNESSES
DOCTOR-PATIENT RELATIONSHIP
    characteristics, 1(1)(c)–(d)
    commencement, 1(1)(c)
    communication. See CONFIDENTIALITY
    examination at request of third party, 1(1)(e)
    fiduciary nature of, 1(1)(b), 1(2)(a), 3(4)(a)(iv)
    historical development, 1(1)(a)
    sexual relations, 2(6)(a)(i)
    termination by doctor, 1(1)(c)
    termination by patient, 1(1)(c)
DOCTRINE OF INFORMED REFUSAL, 3(4)(1)
DOCUMENTARY EVIDENCE, 7(2)(b)
DOMINANT PURPOSE TEST, 12(4)(c)(iii)
DOUBLE TEST OF CAUSATION, 3(5)(b)
DRUGS AND INJECTIONS, 5(5)(e)
    adverse reactions, 5(5)(e)(i)
    errors in administration, 5(5)(e)(iii)
    illegibility of doctor's handwriting, 5(5)(e)(iii)
    inappropriate drug, 5(5)(e)(ii)
    injections, 5(5)(e)(iv)
DUTY OF CARE
    duty by government and regulatory bodies, 4(2)(f)
    duty to fetus, 4(2)(b)
    duty to patients, 4(2)(a)
    duty to supervise dangerous patient, 4(2)(e)(ii)
    duty to third parties, 4(2)(e)
    emergency care, 4(2)(e). See also EMERGENCY PRINCIPLE
    examination at request of third party, 1(1)(e), 4(2)(d)
    hospitals, 4(2)(a), 4(2)(b)
    multiple doctors, 4(2)(a), 4(2)(c)(i)
DUTY TO ATTEND, 5(2)
DUTY TO DIAGNOSE, 5(3)
DUTY TO DISCLOSE, See INFORMED CONSENT
DUTY TO INFORM. See also INFORMED CONSENT
    dismissal of doctor contrary to medical advice, 1(1)(c)
```

```
refusal of treatment, 2(2), 3(4)(1)
DUTY TO INSTRUCT PATIENT, 5(6)
DUTY TO MITIGATE, 6(4)(c)
DUTY TO PROVIDE EMERGENCY SERVICES, 1(1)(d). See also
   EMERGENCY PRINCIPLE, GOOD SAMARITAN LEGISLATION
DUTY TO REFER
    after referral, 5(4)(d)
    effective referral in cases of conscientious objection, 5(4)(a)
    informed consent, and, 3(4)(f)
    referral (consultation) as defence, 5(4)(e)
    what to refer, 5(4)(c)
    when to refer, 5(4)(a)
    where to refer, 5(4)(b)
DUTY TO SUPERVISE DANGEROUS PATIENT, 4(2)(e)(ii)
DUTY TO THIRD PARTIES, 3(4)(k), 4(2)(d)
DUTY TO TREAT
    anaesthesiology, 5(5)(c)
    casts, 5(5)(f), 6(2)(b)
    communication among members of treatment team, 5(5)(h)
    drugs/injections, 5(5)(e)
    futile/inappropriate treatment, 5(5)(g)
    obstetrics, 5(5)(d)
    quality of care, 5(5)(a)
    surgery, 5(5)(b)
DUTY TO WARN, 4(2)(e)(i), 5(6)
ELDER ABUSE, 1(2)(c)(iv)
ELECTIVE PROCEDURES, 3(3)(c)(iv)
EMBRYO RESEARCH, 2(7)(a)(vi)
EMERGENCY DEPARTMENT, 1(1)(d), 4(2)(b), 11(3)(b)(i)
EMERGENCY PRINCIPLE, 2(5)(b)
EMPLOYEE VS. INDEPENDENT CONTRACTOR, 10(1), 10(2)(c)-(d),
   11(4)(b)
EMPLOYEE, MEDICAL EXAMINATION, 2(2)
ERROR OF JUDGMENT, 6(3)
ERRORS, DISCLOSURE OF, 3(6), 6(5)(e)
EUGENIC STERILIZATION, 2(7)(c)
EVIDENCE, 7(2)
EXAMINATION-IN-CHIEF, 8(2)(c)(ii)
EXPERIMENTATION. See RESEARCH AND EXPERIMENTATION
EXPERT WITNESSES
    cross-examination, 8(2)(c)(iii)
```

```
hospitals, 11(2)(c)
    interviews, 8(2)(a)
    medical-legal report, 8(2)(d)
    nature of evidence, 7(2)(b), 8(2)(c)(i)
    obtaining, 7(3)(c)
    preparation of, 7(3)(c)(ii)
    qualifications, 8(2)(b)
    selection, 8(3)(a)–(b)
    tips, 7(3)(c)(ii)
FACTUAL CAUSATION, 4(5)(a)
FALSE IMPRISONMENT, 9(2)
FETAL PROTECTION, 2(6)(b)(ii)(C)
FETAL TISSUE RESEARCH, 2(7)(a)(vi)
FOLLOW-UP TREATMENT, 3(3)(c)(v)
FRAUDULENT CONCEALMENT, 6(5)(e)
FUTURE, 13
GOOD SAMARITAN LEGISLATION, 4(2)(b)(ii)
HEALTH CARE AGENT, 2(6)(b)(i)(D)
HEARSAY EVIDENCE, 7(2)(a)
HIV
    confidentiality, and, 1(2)(c)(iv)
    doctor's disclosure of being HIV+, 3(4)(a)(vi)
    HIV testing, 2(5)(a)(i)
    infection from artificial insemination, 6(2)(a)
    physician's duty to warn, 3(4)(k)
    Red Cross's duty to warn, 3(4)(f)
HOSPITAL RECORDS, 7(2)(b), 12(2)(a)
HOSPITALS, 11
    breach of contract, 11(2)(a)
    community expectations, 11(3)(a)
    consent, 2(6)(c)(ii)
    consent form, 2(6)(c)(ii)
    disclosure of errors, 3(6)
    drugs, handling of, 11(3)(b)(iii)
    duty of care, 4(2)(a)
    emergency department, 1(1)(d), 4(2)(c), 11(3)(b)(i)
    emergency services, 1(1)(d), 4(2)(c)
    expert evidence, 11(2)(c)
    facilities/equipment, 11(3)(c)
```

examination-in-chief, 8(2)(c)(ii)

```
infection, communication of, 11(3)(b)(iv)
     informed consent, and, 3(4)(f)
     liability, generally, 11(1)
     negligence, 11(2)(b)
     patient surveillance/protection, 11(3)(b)(v)
     personnel, 11(3)(a)
     recovery room, 11(3)(b)(ii)
     res ipsa loquitur, 7(3)(b)
     standard of care (house staff), 4(3)(b)(i)(B)
     statutory standards, 11(3)(d)
     supervision/instruction, 11(3)(a)(ii)
     systems/protocols, 11(3)(b)
     test results, coordination and communication, 11(3)(b)(vi)
     vicarious liability. See VICARIOUS LIABILITY - HOSPITALS
HUMAN RESEARCH AND EXPERIMENTATION. See RESEARCH AND
   EXPERIMENTATION
HUMAN TISSUE DONATION, 2(7)(b)
HYPOTHETICAL QUESTION, 8(2)(c)(ii)
INCIDENT REPORTS, 12(4)(c)(iii)
INDEPENDENT CONTRACTOR VS. EMPLOYEE, 10(1), 10(2)(c)–(d)
INDEPENDENT COURT EXPERT, 8(1)
INFORMED CONSENT,
     alternative facilities, 3(4)(a)(iii)
     alternative treatment, 3(4)(a)(ii)
     appellate review, 3(3)(c)(vii)
     causation, 3(5). See also CAUSATION
     children, 3(4)(n)
     common risks, 3(3)(c)(iii)
     consequences of the risk, 3(3)(d)
     continuing duty to disclose, 3(4)(j)
     cost containment policies, 3(4)(a)(iv)
     criticism of modified objective test, 3(5)(d)
     diagnosis and prognosis, 3(4)(a)(i)
     doctor's conflict of interest, 3(4)(a)(iv)
     doctor's personal information, 3(4)(a)(vi)
     effect of failure to inform, 2(6)(d), 3(1)-(2)
     elective procedures, 3(3)(c)(iv)
     emergencies, 3(4)(o)
     errors, disclosure of, 3(6)
     follow-up treatment, 3(3)(c)(v)
     hospitals, 3(4)(f)
     importance, 3(1)(b)
     likelihood of the risk, 3(3)(d)
```

```
mistakes, duty to disclose, 3(6)
    other health professionals, 3(4)(f)
    patient's special circumstances, 3(4)(e)
    patient's specific questions, 3(4)(c)
    patient's understanding of information, 3(4)(b)
    postponing the treatment, 3(5)(e)
    product liability, 3(5)(d)
    proof of disclosure, 3(4)(m)
    referrals, 3(4)(f)
    Reibl v. Hughes, 3(3)(b)(ii)
    relevant factors in causation, 3(5)(b)(iii)
    research and experimentation, 3(4)(i)
    risks unknown to doctor, 3(4)(d)
    source of duty, 3(1)(c)
    standard of disclosure, 3(3)
    statistics, 3(5)(i)
    terminology, 3(1)(a), 3(3)(c)(vi)
    therapeutic privilege, 3(4)(g)
    therapeutic research, 3(4)(i)
    third parties, duty to, 3(4)(k)
    waiver, 3(4)(h)
    whose duty is it, 3(4)(f)
INFORMED REFUSAL, 3(4)(1)
INJECTIONS. See DRUGS AND INJECTIONS
INVARIABLE PRACTICE, 3(4)(m)
INVASION OF PRIVACY, 1(2)(d)
JEHOVAH'S WITNESSES
    parental refusal, 2(6)(b)(ii)(D)
    refusal of treatment, 2(2)
JOINT AND SEVERAL LIABILITY, 4(5)(h), 6(4)(d)
JURY TRIALS, 7(3)(d)
KORN DECISION, 6(2)(a)–(b)
LEADING QUESTIONS, 8(2)(c)(ii)
LEGAL PROFESSIONAL PRIVILEGE. See PRIVILEGE
LIFE-SUSTAINING TREATMENT, WITHDRAWAL OF, 2(2), 2(6)(b)(i)(F)
LIMITATION PERIODS
    contract action, 9(3)(c)
    discoverability rule, 6(5)(d)
    fraudulent concealment, 6(5)(f)
```

material risks, 3(3)(c)

```
infants, and, 6(5)(e)
    length, 6(5)(b)
    mental incompetents, and, 6(5)(f)
    rationale for defence, 6(5)(a)
    sexual assault, 6(5)(e)
    termination of professional services, 6(5)(c)
LIVING WILLS, 2(6)(b)(i)(D)
LOCALITY RULE, 4(3)(b)(iii)(C)
LOCUM TENENS, 10(2)(d)
LOSS OF A CHANCE, 3(5)(c), 4(5)(g), 9(3)(c)
MALPRACTICE CRISIS, 13(1)
MATERIAL FACTS, PROOF OF, 7(3)
MATERIAL RISKS, DISCLOSURE OF, 3(3)(c)
MEDICAL FUTILITY, 5(5)(g)
MEDICAL RECORDS, 12
    adjunct to medical case, as, 12(1)(a)
    admissibility, 12(4)(a)
    electronic health records, 12(2)(c)
    hospital records, 12(2)(a)
    legal documents, as, 12(1)(b)
    office records, 12(2)(b)
    ownership, 12(3)
    patient access to, 12(3)
    privilege. See PRIVILEGE
    production, 12(4)(b)
    recent trends, 12(5)
MEDICAL-LEGAL REPORT, 8(2)(d)
MEDICALLY ASSISTED DEATH, 2(7)(d)
MEDICALLY ASSISTED PROCREATION, 2(7)(a)(vi)
MENTAL DISABILITY
    advance directives, 2(6)(b)(i)(D)
    assessing capacity, 2(6)(b)(i)(A)
    control of menstruation, 2(7)(c)
    doctor's responsibility, 2(6)(b)(i)(H)
    legislation, 2(5)(a)(ii)
    limitation periods, and, 6(5)(f)
    non-regenerative tissue transplantation, 2(7)(b)(i)
    proxy appointments, 2(6)(b)(i)(D)
    regenerative tissue transplantation, 2(7)(b)(i)
    research, 2(7)(a)
    sterilization, 2(7)(c)
    substitute consent, 2(6)(b)(i)(B)–(C)
```

```
substitute decision-making, 2(6)(b)(i)(E)
    vegetative state, 2(6)(b)(i)(F)-(G)
MISDIAGNOSIS, 5(3)
MISTAKES, DISCLOSURE OF, 3(6), 6(5)(f)
MOTOR VEHICLES
    accidents caused by failure to warn of risks of reducing medication,
         4(2)(e)(i)
    unfit to drive, 1(2)(c)(iii)
NEGATIVE DEFENSIVE MEDICINE, 13(1)(c)
NEGLIGENCE
    causation. See CAUSATION
    costs, 8(3)(c), 13(2)
    defences. See DEFENCES
    doctor as defendant, 8(3)
    duty of care. See DUTY OF CARE
    duty to attend. See DUTY TO ATTEND
    duty to diagnose. See DUTY TO DIAGNOSE
    duty to reconsider diagnosis, 5(3)(b)
    duty to refer. See DUTY TO REFER
    duty to treat. See DUTY TO TREAT
    hospitals, 11(2)(b), 11(3)
    injury, 4(4)
    introduction, 4(1)
    jury trials, 7(3)(d)
    non-suit, 6(1)
    proof. See PROOF OF NEGLIGENCE
    reluctance to sue, 13(1)(d)
    requirements for successful action, 4(2), 7(1)
    specialists, 5(3)(c)
    standard of care. See STANDARD OF CARE
NEW REPRODUCTIVE TECHNOLOGIES, 2(7)(a)(vi)
NO-FAULT COMPENSATION, 13(2)(b)
NON-SUIT, 6(1)
NOVUS ACTUS INTERVENIENS, 4(5)(h)
NURSE PRACTITIONER, 10(2)(c)
NURSES, 10(2)(c), 11(4)(c)
OFFICE RECORDS, 12(2)(b)
OPTING OUT SCHEME, 2(7)(b)(ii)
PARENTAL CONSENT, 2(6)(b)(ii)(C)
PARENTAL REFUSAL, 2(6)(b)(ii)(D)
```

```
PARTNERSHIPS, 10(3)
PASSIVE DEFENCES, 6(1)
PATIENT. See DOCTOR-PATIENT RELATIONSHIP
PHARMACISTS, 11(4)(d)
PHYSICIAN. See DOCTOR, DOCTOR-PATIENT RELATIONSHIP
PLACEBO THERAPY, 2(6)(a)(ii)
POSITIVE DEFENSIVE MEDICINE, 13(1)(c)
PRE-NATAL INJURY CASE, 4(4)(c)
PRICHARD REPORT, 13(1)(b), 13(2)(b)
PRICHARD REVIEW, 13(1)(b), 13(2)(b)
PRIMA FACIE CASE, 7(3)
PRINCIPLE OF HOLDING OUT, 4(2)(c)(i)
PRINCIPLE OF JOINT GUARDIANSHIP, 2(6)(b)(ii)(C)
PRISONERS
    human experimentation, 2(7)(a)(ii)
    hunger strikes, 2(2)
    refusal of treatment, 2(2)
PRIVILEGE. See also CONFIDENTIALITY
    disciplinary proceedings, 12(4)(c)(iv)
    doctor-patient communications, 1(2)(b)
    incident reports, 12(4)(c)(iii)
    medical-legal report, 8(2)(d), 12(4)(c)(iii)
    overview, 12(4)(c)
    psychiatrist-patient communications, 1(2)(b)
    report of disciplinary proceedings, 12(4)(c)(iv)
    statutory provisions, 1(2)(b), 12(4)(c)(v)
    Wigmore criteria, 1(2)(c), 12(4)(c)(ii)
PROOF OF NEGLIGENCE, 7
    admissions, 7(2)(c)
    circumstantial evidence, 7(3)(a)
    direct evidence, 7(3)(a)
    documentary evidence, 7(2)(b)
    drawing inferences, 7(3)(a)
    evidence, 7(2)
    expert evidence, 7(2)(a)(i)
       necessity of, 7(2)(a)(ii)
    hospital records, 7(2)(b)
    material facts, 7(3)(a)
    prima facie case, 7(3)(a)
    res ipsa loquitur. See RES IPSA LOQUITUR
    standard of proof, 7(3)
```

witnesses, 7(2)(a). See also EXPERT WITNESSES

PROPOSALS FOR REFORM, 13(2)

```
PROXIES, 2(6)(b)(i)(D)
PROXIMATE CAUSE, 4(5)(h)
PSYCHIATRISTS/PSYCHOLOGISTS, 1(2)(b), 1(2)(c)(iv), 4(2)(e)(ii)
REASONABLE BLOOD DONOR TEST, 2(3)(b)
REASONABLE PATIENT TEST, 3(3)(b), 3(4)(d)
REASONABLE PRACTITIONER STANDARD, 3(4)(d), 4(3)(a). See also
   STANDARD OF CARE
RECORDED CONSIDERATION, 2(7)(b)(ii)
RECOVERY ROOM, 11(3)(b)(ii)
REFERRALS. See DUTY TO REFER
REFORM, 13(2)
REFUSAL OF TREATMENT, 2(2)
REPRODUCTIVE TECHNOLOGIES, 2(7)(a)(vi)
REQUIRED REQUEST MODEL, 2(7)(b)(ii)
RES IPSA LOQUITUR, 7(3)(b)
RESEARCH AND EXPERIMENTATION, 2(7)(a)
    children, 2(7)(a)(iv)
    defined, 2(7)(a)(i)
    fetal tissue/embryo research, 2(7)(a)(vi)
    informed consent, and, 3(4)(h)
    mentally ill persons, 2(7)(a)(v)
    prisoners, 2(7)(a)(ii)
    risk/benefit ratio, 2(7)(a)(iii)
    standard of care, and, 4(3)(b)(ii)
    voluntariness, 2(7)(a)(ii)
RESPECTABLE MINORITY PRINCIPLE, 6(2)(c)(iii)
RISKS
    common, 3(3)(c)(iii)
    material, 3(3)(c)
    special/unusual, 3(3)(c)(vi)
    standard of care, and, 4(3)(b)(ii)
    unknown to doctor, 3(4)(d)
ROUTINE INQUIRY MODEL, 2(7)(b)(ii)
SEXUAL RELATIONS, DOCTOR/PATIENT, 2(6)(a)(i)
SHOTS. See DRUGS AND INJECTIONS
SPECIALISTS
    misdiagnosis, 5(3)(c)
    standard of care, 4(3)(b)(i)(A)
STANDARD OF CARE, 4(3)
    anaesthesiology, 4(3)(b)(ii)
```

```
cost containment policies, 4(3)(b)(iv)(D)
    degree of risk involved, 4(3)(b)(ii)
    facilities, 4(3)(b)(iv)(A)
    general practitioners vs specialists, 4(3)(b)(i)(A)
    geographic location, 4(3)(b)(iii)(C)
    hospitals' house staff/students, 4(3)(b)(i)(B)
    inexperienced doctors, 4(3)(b)(i)(B)
    new/experimental procedures/equipment, 4(3)(b)(ii), 4(3)(b)(iii)(B)
    non-doctors, 4(3)(b)(i)(C)
    other duties, 5(1). See also individual duties
    qualification of doctor, 4(3)(b)(i)
    reasonable standard, 4(3)(a)
    resources, 4(3)(b)(iv)
    surgery, 4(3)(b)(ii)
    tools/techniques, 4(3)(b)(iv)(B)
    university teaching appointment, 4(3)(b)(i)(A)
STANDARD OF PROOF, 7(3)
STATISTICS, 13(1)(b)
STERILIZATION, 2(7)(c)
SUBSTITUTE CONSENT, 2(6)(b)(i)(B)-(C). See also PARENTAL CON-
   SENT
SUBSTITUTE JUDGMENT TEST, 2(6)(b)(i)(E)
SURGERY
    inappropriate, 5(5)(b)(ii)
    injury during operation, 5(5)(b)(iii)
    objects left inside body, 5(5)(b)(iv)
    post-operative care, 5(5)(b)(v)
    standard of care, 4(3)(b)(ii)
    wrong operation, 5(5)(b)(i)
THERAPEUTIC PRIVILEGE, 3(4)(g)
THERAPEUTIC RESEARCH, 3(4)(i)
THIN-SKULL RULE, 4(5)(h)
TRANSPLANTATION, 2(7)(b)
TREATMENT. See DUTY TO TREAT
UNCOMPENSATED PATIENTS, 13(1)(d)
UNFIT TO DRIVE, 1(2)(c)(iii), 4(2)(e)(iii)
VICARIOUS LIABILITY
    employee vs. independent contractor, 10(1), 10(2)(d)
    general principles, 10(1)
    in the course of employment, 10(1)
```

```
nurses, 10(2)(b)
    office staff, 10(2)(a)
    other doctors, 10(2)(d)
    other health care professionals, 10(2)(c)
VICARIOUS LIABILITY - HOSPITALS
    doctors, 11(4)(b)
    introduction, 11(4)
    nurses, 11(4)(c)
    other employees, 11(4)(d)
    pharmacists, 11(4)(d)
    private/special nurses, 11(4)(c)
    student nurses, 11(4)(c)
    volunteers, 11(4)(e)
VOLUNTEERS, 11(4)(e)
WAIVER
    confidentiality, 1(2)(c)(ii)
    informed consent, 3(4)(h)
WIGMORE CRITERIA, 1(2)(b), 12(4)(c)(ii)
WITHDRAWAL OF LIFE-SUSTAINING TREATMENT, 2(2), 2(6)(b)(i)(F)
WITHHOLDING TREATMENT, 2(2), 2(6)(b)(i)(F), 5(5)(g)
WITNESSES, 7(2)(a). See also EXPERT WITNESSES
WRONGFUL BIRTH, 4(4)(b)
WRONGFUL LIFE, 4(4)(c)
```