

Medical law

Not to be confused with Health law or Medical jurisprudence.

Medical law is the branch of law which concerns the prerogatives and responsibilities of medical professionals and the rights of the patient.^[1] It should not be confused with medical jurisprudence, which is a branch of medicine, rather than a branch of law.

The main branches of medical law are the law on confidentiality, negligence and torts in relation to medical treatment (most notably medical malpractice), and criminal law and contract law in the field of medical practice and treatment. Ethics and medical practice is a growing field.^[2]

1 History

The first medical law recorded was the Code of Hammurabi, which said; “If a physician makes a large incision with the operating knife, and kill him, ... his hands shall be cut off.”^[3]

2 See also

- Abortion law
- Assault (tort) and Battery (tort), a form of trespass to the person
- Bioethics
- Competence (law)
- Compulsory sterilization
- Conjoined twins
- Consent (criminal law)
- *The Convention on Human Rights and Biomedicine*
- Euthanasia
- Freedom of information
- Health law, the body of healthcare legislation and government regulation
- Inviolability
- Involuntary commitment

- Involuntary treatment
- Medical ethics
- Medical malpractice
- Medical record
- Privacy law
- Quality of life (healthcare)
- Reproductive rights
- Reproductive technology
- World Association for Medical Law

3 References

- [1] “Topic: Medical Law”. City University Law School - Lawbore. Retrieved 2009-10-21.
- [2] “Medical blunders cost NHS billions”. The Telegraph. Retrieved 2015-09-17.
- [3] <http://www.ushistory.org/civ/4c.asp>

4 Notable cases

- Sorrell v. IMS Health Inc.
- Airedale NHS Trust v Bland [1993] 1 All ER 821 HL <http://www.bailii.org/uk/cases/UKHL/1992/5.html>
- Montgomery v Lanarkshire Health Board [2015] UKSC 11 https://www.supremecourt.uk/decided-cases/docs/UKSC_2013_0136_Judgment.pdf

5 Further reading

- Annas, G. J. (2012). “Doctors, Patients, and Lawyers — Two Centuries of Health Law”. *New England Journal of Medicine*. **367** (5): 445–450. doi:10.1056/NEJMra1108646. PMID 22853015.

6 Text and image sources, contributors, and licenses

6.1 Text

- **Medical law** *Source:* https://en.wikipedia.org/wiki/Medical_law?oldid=744790153 *Contributors:* Phoebe, BD2412, Sjö, Mais oui!, Rathfelder, SmackBot, Obiwankenobi, Qwerty Binary, Froid, Mikael Häggström, Olegwiki, Niceguyedc, Robodoggy, SilvononBot, Addbot, Cst17, Yobot, Tucoxn, Srich32977, Pinethicket, Luisxx24, EonLinE, Chilibimbambumo, Donner60, ClueBot NG, Twillisjr, Parzivalamfortas, Chanceeching, Dexbot, Fox2k11, Ruby Murray, Ragaso and Anonymous: 12

6.2 Images

- **File:Question_book-new.svg** *Source:* https://upload.wikimedia.org/wikipedia/en/9/99/Question_book-new.svg *License:* Cc-by-sa-3.0
Contributors:
Created from scratch in Adobe Illustrator. Based on Image:Question book.png created by User:Equazcion *Original artist:* Tkgd2007

6.3 Content license

- Creative Commons Attribution-Share Alike 3.0