

antihypertensive drugs.

# Mediation (Arbitration) Application Annex [Sample]

For Patients

- As this record is significant in making a determination on the incident details, please fill it out accurately without any omission.
- The details filled out will be sent to the other party as data for system use and request for an answer (explanation), so please provide them based on objective facts. (Do not slander the other party or write anything that is different from the truth.)

# A. Basic information of patient

Name	John Doe	Gender	Male	Date of birth	April 8, 1960 (age: 59)	Nationality	Republic of Korea	
Current	□ Dead □ Severe disability (degree: 1-3) □ Mild disability (degree: 4-6)							
condition	☑ Under treatment □ Cu	ıred 🗆	Other (		)			
Occupation	☑ Office worker □ Sole proprietor □ Farmer/fisher □ Housekeeper							
	□ Student □ Unemployed □ Other ( )							

## B. Reason for visiting the medical institution

1. Questions about the patient's visit to the medical institution (symptom, background, etc.)
1-1. Date of visit: May 2, 0000
1-2. Reason for visit: I visited clinic "A" on May 2, 0000 because I've had indigestion and bloating since April 20, 0000.
2. Questions about past medical history
2-1. Does the patient have any past or present illness(es)? ✓ Yes □ No
2-2. (If answered "Yes" to question 2-1 above) What treatment did you receive under what diagnosis? (Including medical institution and
treatment period)
I was diagnosed with hypertension at hospital "B" and have been taking antihypertensive drugs since January 0000. I still take the

## C. Account of incident (diagnosis and treatment - occurrence of incident)

1. Questions about the diagnosis of the relevant medical staff on the patient's symptoms	
1-1. What test(s) did you undergo? (Multiple answers allowed)	
$\ \square$ X-ray $\ \square$ CT $\ \square$ MRI $\ \square$ Endoscopy $\ \square$ Ultrasound $\ \square$ Blood test	
☑ Blood pressure □ Other ( )	
1-2. Diagnosis: Indigestion	
1-3. What did you hear about the post-diagnosis treatment plan?	
I was explained that I had mild indigestion and if the symptom does not improve after taking gastrointestinal medication	s for a few
days, I may need to undergo gastrointestinal endoscopy.	
2. Questions about the explanation and agreement on the post-diagnosis treatment plan	
2-1. Did you agree to the explanation on the post-diagnosis treatment plan? ✓ Yes □ No □ Other (	)
2-2. Method of explanation: ✓ Verbal □ Written □ Verbal+written □ None □ Other (	)
2-3. Medical staff who provided explanation: ✓ Attending physician □ Nurse □ Counselor □ Other (	)
2-4. Person who agreed to the explanation: ✓ Patient him/herself □ Caregiver (relationship:	)

#### 3. Questions about the treatment of the medical staff according to the diagnosis

- 3-1. Which medical department provided the treatment? (Multiple answers allowed) Gastroenterology
- 3-2. What treatment did you receive in the medical department (cf. 3-1)?
  - Type of treatment: ✓ Outpatient □ Inpatient □ ER □ Other (
  - Treatment period: May 2, 0000 May 15, 0000
  - Treatment details: On May 2, 0000, my blood pressure was checked and I was prescribed gastrointestinal medications.

    On May 9, 0000 I had gastrointestinal endoscopy, and I was told that there was no unusual finding on May 15, 0000.

#### 4. Questions about the damage (adverse outcome) caused by the treatment of the attending physician

- 4-1. Date of damage: May 2, 0000
- 4-2. What body part(s) were affected by the medical malpractice, and what symptom(s)?
- On May 15, 0000, even after I was told that there were no unusual findings, I still had the symptom of bloating.

### 5. Questions about the primary treatment provided by the attending physician for the damage sustained (adverse outcome)

- 5-1. What measures did the attending physician take for the damage sustained? (Treatment method, duration, explanation, etc.)
  Even after the examination results of clinic "A" on May 15, 0000 that there was no unusual finding, I still felt sick to my stomach, so I visited clinic "A" again on June 5, 0000 and reported the symptom, but I was told it was mild indigestion and I was prescribed gastrointestinal medications.
- 5-2. How is the condition of the patient due to the measure(s) taken (cf. 5-1)? (Whether recovered or not, etc.)

On October 5, 0000 After visiting the university hospital "C" undergoing a gastrointestinal endoscopy, I was diagnosed with stage 2 gastric cancer, and I had a total gastrectomy on October 12, 0000, and I am currently undergoing chemotherapy.

#### D. Progress after the incident (occurrence of incident - present)

#### 1. Questions about any additional treatment at other medical institution(s) due to the damage (adverse outcome) sustained

- 1-1. Did you receive any additional treatment at any other medical institution? ✓ Yes □ No
- 1-2. (If answered "Yes" to question 1-1 above) Provide the details of the additional treatment. (Medical institution, medical department, treatment period, etc.)
- I underwent a total gastrectomy at the university hospital "C" from October 5, 2018 to October 31, 0000, and I am currently undergoing chemotherapy.

#### 2. Questions about the recent condition of the patient

- 2-1. Is the patient still undergoing treatment? ✓ Yes □ No
- 2-2. Does he/she have any plans to undergo additional treatment? ✓ Yes □ No
- 2-3. (If answered "Yes" to question 2-2 above) What is the treatment he/she plans to receive? (Medical institution, medical department, treatment period, etc.)
- I will continue to under chemotherapy at the university hospital "C".
- 2-4. What is the current condition or the expected future symptom of the patient? (Including the possibility of being diagnosed with residual impairments)

Due to the aftereffect of gastrectomy and chemotherapy, I lost a lot of weight and I eat much less.

# E. Details on the damage caused by medical malpractice

□ Please fill out the details ranging from the treatment to damage (adverse outcome) caused by medical malpractice. (By date and time)

Date of treatment	Patient's symptoms - Diagnosis - Treatment and progress - Results
May 2, 0000 (10:00)	I visited clinic "A" and I told that I had mild indigestion, and I was recommended to undergo gastrointestinal endoscopy if the symptom does not improve after taking gastrointestinal medications for a few days.
	After checking my blood pressure, doctor's examination followed, and I was prescribed gastrointestinal medications.
May 9, 0000 (09:00)	I had gastrointestinal endoscopy.
May 15, 0000	I received test results showing that there was no unusual finding.
	Even after I was told that there was no unusual finding, I still had the symptom of bloating.
Jun. 5, 0000 (11:00)	Even after the examination results of clinic "A" on May 15, 0000 that there was no unusual finding, I still felt sick to my stomach, so I visited clinic "A" again on June 5, 0000 and reported the symptom, but was told it was mild indigestion and I was prescribed gastrointestinal medications.
Oct. 5, 0000	As a result of visiting the university hospital "A" and undergoing gastrointestinal endoscopy, I was diagnosed with stage 2 gastric cancer.
Oct. 12, 0000	I had a total gastrectomy at the university hospital "C" on October 12, 0000, and I am currently undergoing chemotherapy.
■ If you do not have	enough space, please use the separate sheet to fill out additional information.

1. Questions about the adequacy of treatment or handling by the attending physician
1-1. What do you think was inappropriate with the treatment or handling process of the medical staff? :
The head of clinic "A" claims that there was no unusual finding in the gastrointestinal endoscopy.
1-2. If there is a relation between treatment and damage (adverse outcome), what do you think is the cause? :
I believe that the negligent acts were the failure of clinic "A" to thoroughly examine gastrointestinal endoscopy results and recommend the patient to receive treatment at a higher-level hospital considering the patient's condition.
1-3. Considering (cf. 1-1 and 1-2), please fill out matters (medical appraisal) that require primary medical review for "med malpractice appraisal."
* "Medical appraisal" refers to organizing medical expertise or judgments using the expertise for the mediation and arbitration of
the mediation department  Misdiagnosis (Reason: The patient complained of his/her abdominal pain when he/she visited the clinic, but the doctor overlooked his/her symptoms)
* Example ① Misdiagnosis (Reason: The patient complained of his/her abdominal pain when he/she visited the clinic, but the doctor overlooked his/her symptoms) ② Poor skills during surgery (Reason: The surgeon's lack of skill caused a nerve damage during surgery) ③ Cause of patient's death (Reason: Treatment was delayed due to a failed diagnosis of peritonitis, resulting in the patient's death)
1-4. If there is anything that requires primary legal review during the "Mediation and Arbitration Procedure," please provide its details.
If there is anything that requires primary legal review during the mediation and arbitration procedure, please fill it out.
2. Questions about the details of consultation with the medical institution
2-1. Who have you tried to talk to and resolve this matter with? (Multiple answers allowed)
☑ Attending physician □ Relevant staff at medical institution □ Liability insurance/mutual benefit association
□ None □ Other ( )
2.2. Here the medical staff/medical institution calmovaled and its medicance and liability?
2-2. Has the medical staff/medical institution acknowledged its negligence and liability?  The head of clinic "A" claims that there was no unusual finding in the gastrointestinal endoscopy.
The head of chine A claims that there was no unusual finding in the gastronicstinal endoscopy.

2-3. If there is any agreement made between the parties, please provide its details.

We have consented to reach an agreement through the Korea Medical Dispute Mediation and Arbitration Agency.

## G. Details of calculation of the mediation Amount (damage compensation)

- \* The details of damage calculation are used as basic data for medical malpractice appraisal and mediation, so please make sure to reflect objective facts and documentary evidence.
- □ Details of calculation of the mediation Amount (damage compensation)

Classification		Amount calculated	Grounds for calculation			
	① Treatment cost	KRW	[Provide medical expenses already paid]			
Active Loss	② Future Treatment cost	KRW	[Provide estimated future medical expenses (estimated cost of treatment in the future)]			
	③ Nursing cost	KRW	[Provide nursing expenses for care during treatment and post-treatment residual impairments]			
	④ Other	KRW	[Provide expenses for funeral, medical aids, etc]			
Passive Loss	① Shutdown loss	KRW	[Provide the loss in income caused by this incident (including the period of loss)]			
	② Lost profit	KRW	[Provide the loss in income caused by the loss of labor capacity in case of residual impairment (including the period of loss)]			
Solatium	① Solatium	KRW	[Provide compensation request for psychological damage]			
	Total	KRW	[Positive damage + Negative damage + Solatium]			

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Applicant /	Proxy:	(seal	or	signature)
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## Required documents when the mediation procedure commences

①Copies of medical records from the relevant medical institution (including video records)

- 1. Copies of medical records (including video records) of the medical institution to which the patient was transferred, notes, and medical certificates
- 2. Data related to medical expenses, such as receipts of medical expenses or detailed statement of medical expenses
- 3. Evidence of income for lost profit
- 4. Other evidence or reference materials, etc.