

**FORENSICAL CHARACTERISTICS OF PROFESSIONAL CRIMES OF MEDICAL
WORKERS FROM THE POSITION OF FORENSIC EXAMINATION**

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Abstract: The article provides a brief overview of forensic characteristics from the point of view of forensic medical examination, taking into account the capabilities of forensic medicine as a science at the present stage of development. The issues of setting the goals and objectives of expert research in practice when conducting examinations in cases related to improper provision of medical care are considered.

Keywords: Improper provision of medical care, forensic medical examination, method, forensic characteristics.

INTRODUCTION

The current stage of development of Uzbek society is characterized by an aggravated reaction of society to cases of unfavorable outcomes of medical care [1]. The increased social demand for the administration of justice in such cases, the wide publicity of “medical” cases in the press and public outcry force law enforcement agencies to conduct a particularly thorough investigation of each case [2]. Currently, it is impossible to imagine a situation where a criminal case related to a fatal outcome of medical care would be terminated or transferred to court without ordering at least one forensic medical examination.

MATERIALS AND METHODS

In order to increase the efficiency of the law enforcement system in investigating cases of improper provision of medical care, organizational changes were carried out in the structure of the Investigative Committee of Uzbekistan, as a result of which special investigative departments emerged for the investigation of “iatrogenic” crimes, as well as its own expert service [3]. Nevertheless, the load on the complex examination departments of state forensic institutions continues to grow precisely due to the appointment of a large number of examinations in “medical” cases, including repeated and additional examinations, and the complexity of the expert process increases from year to year as a consequence of the constant development of high medical technologies, surgery, microsurgery and pharmacology [4]. The subject area of expertise in cases of improper provision of medical care is often at the intersection of several sections of clinical practice, which requires the inclusion of doctors of various specialties in the expert commission and a comprehensive, systemic analysis of the existing pathology and the treatment performed at all its stages.

RESULTS AND DISCUSSION

This article provides a brief overview of forensic characteristics from the point of view of the goals and objectives of forensic medical examination, its capabilities at the present stage of development and the competence of experts as subjects of special knowledge.

Forensic characteristics include a number of elements:

- the identity of the accused;
- the identity of the victim;
- the situation of the crime (place, time, etc.);
- method of committing the crime;
- typical traces of a crime.

The following is a classification of defects in the provision of medical care, indicating the reasons and conditions that contribute to their occurrence. In total, 7 groups of defects have been identified:

1. Incorrect diagnosis leading to incorrect treatment. The reasons for misdiagnosis are:

- failure to attract a doctor of the required specialty;
- absence or incorrect interpretation of additional examination data;
- failure to take into account medical history;
- inadequate supervision;
- failure to take measures for hospitalization;
- improper management of childbirth.

2. Violations during medical

procedures (blockade, puncture, catheterization, etc.). At the same time, the authors of the characteristic introduce the term “medical procedure,” defining it as “a procedure aimed at achieving a result in providing medical care to a patient.”

3. Violations during surgical intervention. Here it must be emphasized that the possibilities for expert assessment of the technique of surgical manipulations during an operation are currently limited. A reliable assessment of surgical technique when performing a particular surgical technique is possible by studying a video recording of an operation, but in most surgical clinics in our country video recording of operations is not carried out.

4. Incorrect patient management tactics.

At the same time, the authors did not define the concept of tactics, although there is no single generally accepted definition in medicine. Tactics is, first of all, the rational use of available resources to achieve a goal.

5. Failure to take measures to hospitalize the patient if indicated. As part of the forensic medical examination, it is necessary to specify what kind of hospitalization the patient required: emergency, urgent or planned, what indications there were for it - relative or absolute.

6. Carrying out inappropriate resuscitation measures. Experts need to evaluate not only the course of action of the medical staff, but also the ability to perform cardiopulmonary resuscitation properly and fully, i.e. availability of necessary equipment and medicines.

7. Failure to provide assistance to a patient, including failure to dispatch an emergency medical team. In such cases, it must be taken into account that the decision to send a team out is made on the basis of the information that the patient or other person reported to the dispatcher.

CONCLUSION

Forensic characteristics of professional crimes of medical workers can be useful to employees of complex examination departments of the forensic medical examination bureau for a better understanding of the legal position of the investigation, the legal consequences of expert opinions on this category of cases, the goals and objectives of the examination. Heads of complex examination departments can use this characteristic in organizational and methodological work.

REFERENCES

1. Bessonov A.A., Malanina N.V. Forensic characteristics of crimes associated with improper provision of medical care and medical services // Investigation of crimes: problems and ways to solve them. 2018. No. 4 (22). pp. 150–157.
2. Pristanskov V.D. Iatrogenic crimes: medical and forensic criteria for studying professional activities in the provision of medical care that had an unfavorable outcome // Criminalist. 2008. No. 2. pp. 71–79.
3. Grishin A.V. Forensic characteristics of crimes against life and health associated with improper provision of medical care, committed through negligence // Russian justice. 2014. No. 1 (93). pp. 75–80.
4. Samitov E.O., Amirov R.G. Forensic characteristics of crimes associated with causing grievous harm to health as a result of improper provision of medical care // Law and Law. 2015. No. 2. pp. 145–147.