

UNIVERSITI TEKNOLOGI MARA

**NEGLIGENCE IN MEDICAL TOURISM :
REFORMING THE LAW**

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Dissertation submitted in partial fulfillment of the requirements
for the degree of
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AUTHOR'S DECLARATION

“I declare that the work in this dissertation was carried out in accordance with the regulation of the Universiti Teknologi MARA. It is original and is the results of my own work, unless otherwise indicated or acknowledged as referenced work. This topic has not been submitted to any other academic institutions or non-academic institutions for any other degree of qualification”.

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ABSTRACT

Medical tourism has been on the rise with the number of medical tourists increasing globally. Malaysia has a great potential of becoming the hubs of medical tourism industry. The potential issues will arise on medical negligence. In law, medical tourists have to adhere the legal system in Malaysia. In case of claims made by medical tourist, the claims must be established according to Malaysia medical standards of practice and medical negligence laws in Malaysia. The Private Healthcare Facilities and Services Act (Act 586) 1998 and its Regulations 2006, Medical Act 1971 and guidelines of Malaysia Medical Council do not provide sufficient procedures in regard to handling medical negligence case. This research may also made referral on New Zealand and Belgium in respect on handling compensation for the medical negligence cases. The structural interviews were carried out to find out the current methods on handling medical negligence that have been implemented by selected private hospitals in Malacca

Based on the research, it will benefit especially the Ministry of Health, the Malaysian Medical Council and medical practitioners in handling medical negligence with specific provision for foreign medical tourist stipulate under the Private Healthcare Facilities and Services Act 1998.

Finally, the research recommendation on the reforming a current laws in Malaysia in regards of medical negligence as an initiative to develop medical tourism performance in Malaysia.

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