

UNIVERSITY OF FORT HARE

LCM 421 E

MAIN EXAMINATION

November 2019

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Time: 3 hours
Subject: Medical Jurisprudence
Marks: 100

This paper consists of 5 pages including the cover page

Internal Examiners

Mr. J. Mahler-Coetzee (East London)

External Examiner

Dr. A. Anderson

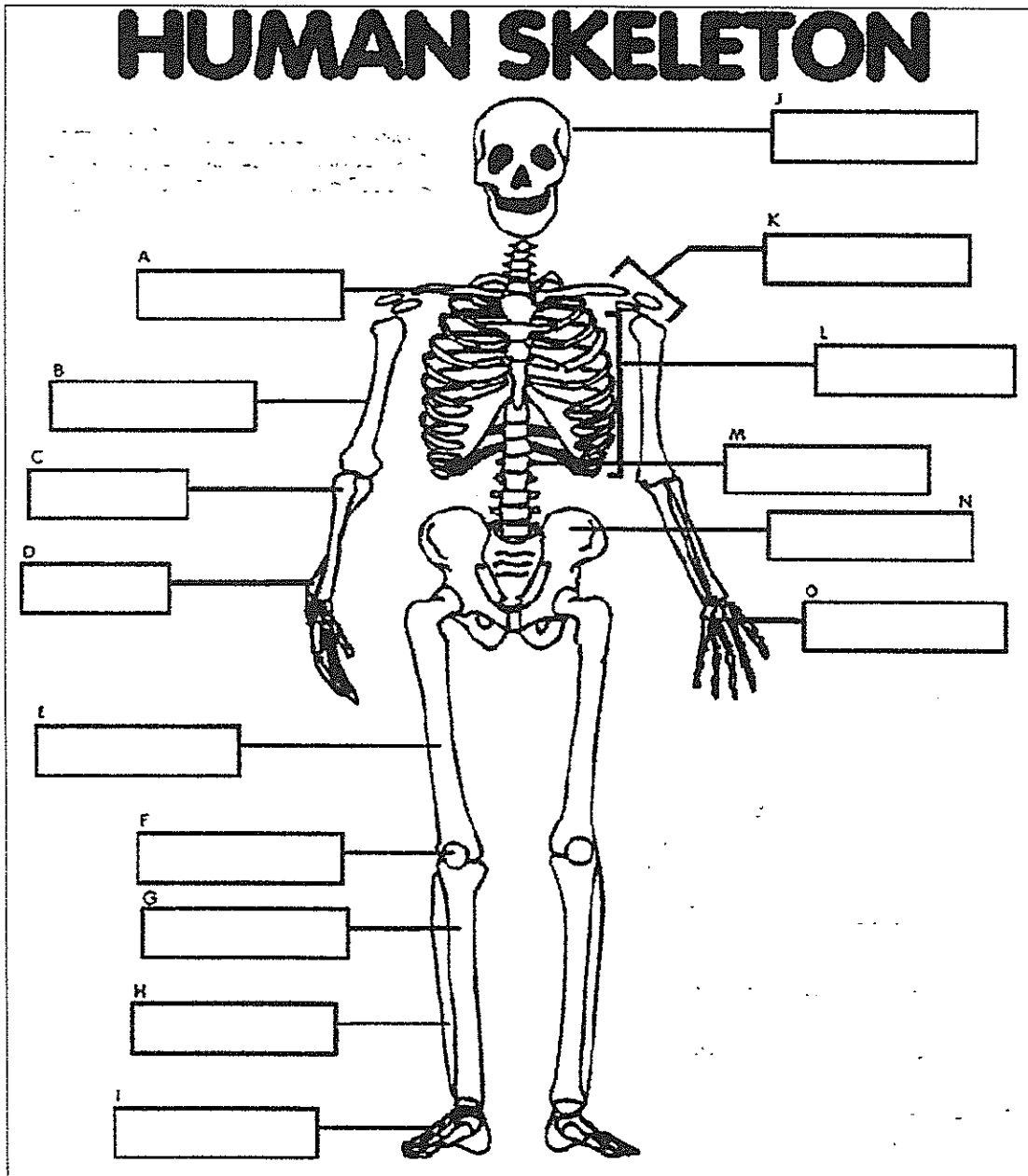
Instructions

Answer ALL questions.

SECTION A:
Anatomy & Physiology, Bio-Ethics, Right to Health Care, National Health Act, Allopathic & Traditional Health Practice

QUESTION 1

With reference to the diagram of our skeleton 'FRED' below, indicate **ON THE ANSWER SHEET PROVIDED** the correctly spelled names of the bone/s to which the labels A-O refer. (15)



QUESTION 2

In relation to Bio-Ethical Decision-Making, name & briefly describe four ethical Principles we have discussed by filling in the table ON THE ANSWER SHEET provided. (8)

QUESTION 3

In relation to Health Policy and Health Legislation, answer the following MCQ questions in the space on the **ANSWER SHEET PROVIDED.**

3.1 In the Soobramoney case, the applicant argued that medical treatment should be provided to him on the basis of

- A: Section 27(3) and Section 11 of the Constitution
- B: Section 27(1) and Section 11 of the Constitution
- C: Section 27(2) and Section 11 of the Constitution
- D: All of the above

(4)

3.2 The only absolute Constitutional Right to Health Care is limited to

- A: Pre-natal care
- B: Dialysis
- C: Emergency treatment
- D: None of the above

(4)

3.3 The National Health Act permits donations of human bodies and/or tissue of deceased persons by a person competent to make a will

- A: Who has made a valid will to this effect
- B: Who has indicated same in another document signed by him or her and two competent witnesses
- C: Who has made a statement to this effect in front of at least two competent witnesses
- D: All of the above

(4)

3.4 Section 64 of the National Health Act provides that

- A: Human tissue may be transplanted to a non-South African citizen or resident
- B: Human tissue may be donated for purposes of the training of students in health sciences
- C: Human tissue may be transplanted by a medical practitioner who gave written authority for removal for transplantation of such tissue
- D: Human tissue may be donated for payment over and above the reasonable costs associated with such donation

(4)

3.5 Section 61 of the National Health Act creates an offence in relation to the obtaining and use of human tissue which is punishable by a period not exceeding 10 years in prison

- TRUE
- FALSE

3)

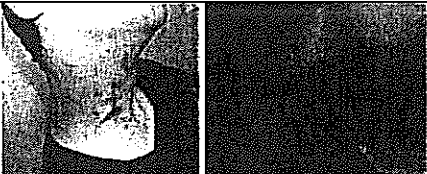
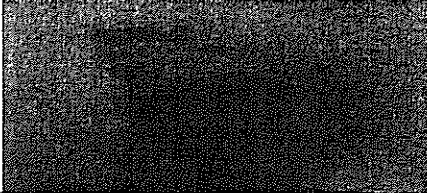

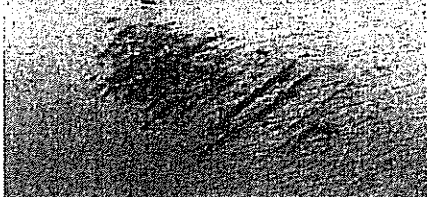
QUESTION 4

Name and describe the types of Traditional Healer provided for by the Traditional Health Practitioner's Act in the table on the ANSWER SHEET PROVIDED. (8)

SECTION B Traumatology, Forensic Medicine

QUESTION 5

In relation to the IMAGES below, complete the table **ON THE ANSWER SHEET PROVIDED.**
(4 x 3 = 12)

	IMAGE
5.1	
5.2	
5.3	
5.4	

QUESTION 6

Consider one 'date-rape drug' that we have discussed, by completing the table **ON THE ANSWER SHEET PROVIDED.** Use single words/ simple phrases. (5)

SECTION C
Human Identification, Forensic Pathology, Crime Scenes

QUESTION 7

The naked/ barefoot corpse of a human is found near a very beautiful, peaceful spot on the banks of a river. The corpse is lying on its left side in the dust. The corpse is cold and flaccid. The skull soft tissue has partially putrefied and the thorax and abdomen are bloated. There is a small round hole on the right temple of the skull, which has inward beveling. Upon examination a large jagged hole is found on the opposite side of the skull. The forehead is rounded; there are small teeth and a smooth u-shaped mandible. Sections of the exposed torso have been gouged by animals. The pelvis is found to be small and smooth with a circular pubis, and a short, broad, J-shaped sacrum. The womb contains a dead foetus. There are maggots on the underside of the corpse. The weather has been hot and dry for weeks. In the bushes nearby, a set of neatly folded girl's clothes is found. A small handgun is recovered from the dust about 2 metres away on the right hand side of the corpse. An empty tequila bottle is found directly next to the corpse on the right hand side. Two sets of footprints (one set barefoot, the other set made by size 12 shoes) lead to the corpse, and one set (the size 12 shoes) leads away from the corpse to a nearby road.

In relation to the facts above, **ON THE ANSWER SHEET PROVIDED**, name the 6 questions that need to be answered in relation to a crime scene (**in the 1st Column**), one item/ or fact from the crime scene that might be relevant to giving an answer to a specific question (**in the 2nd Column**), and then indicate (**in the 3rd Column**) the conclusion you draw from that item i.e. the answer to the question in Column 1. (18)

SECTION D
Medical Malpractice: Drafting a simple Particulars of Claim

QUESTION 8

IN YOUR ANSWER BOOK, draft concise (maximum length 2 pages) particulars of claim, making the basic necessary averments, for damages arising from medical malpractice in relation to a dental practitioner at a public hospital whose dental assistant failed to take a full and proper medical history of a patient and as a consequence the dentist inappropriately administered nitrous oxide (to which the patient was allergic) for a procedure, resulting in partial brain damage to his patient who is a final year law student. Add your own facts/ consequences where you feel same may be useful or necessary. Formal headings are not required. **You may capture your particulars in a table if you wish.** (21)

TOTAL MARKS [100]

END OF EXAM

STUDENT #:..... STUDENT NAME:.....

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ANSWER SHEET

QUESTION 1 (15 marks)

#	Label	NAME OF BONE	Admin.
1	A		
2	B		
3	C		
4	D		
5	E		
6	F		
7	G		
8	H		
9	I		
10	J		
11	K		
12	L		
13	M		
14	N		
15	O		

QUESTION 2 (8 marks)

ETHICAL PRINCIPLE	BRIEF EXPLANATION IN MEDICAL CONTEXT

QUESTION 3 (19 marks)

#	SELECTION (A,B,C or D or T or F)	Admin.
3.1		
3.2		
3.3		
3.4		
3.5		

QUESTION 4 (8 marks)

#	NAME OF TRADITIONAL HEALER (PER ACT)	BRIEF DESCRIPTION OF THEIR SKILLS/ FUNCTIONS
4.1		
4.2		
4.3		
4.4		

QUESTION 5 (12 marks)

#	CATEGORY OF TRAUMA (as per our course)	NAME OF SPECIFIC INJURY or WOUND	SOURCE/ INSTRUMENT/ MEDICO-LEGAL IMPLICATION (IF ANY)
5.1			
5.2			
5.3			
5.4			

QUESTION 6 (5 marks)

PHARMACOLOGICAL DRUG NAME (as learnt in our course)	DRUG CHARACTERISTICS (e.g. Original Use, Shape/ Presentation/ Color, etc.)	DRUG EFFECT (Psychological/ Physiological)

QUESTION 7 (18 Marks)

#	1 ST COLUMN CRIME SCENE QUESTION	2 ND COLUMN CRIME SCENE FACT/ ELEMENT	3 RD COLUMN SIGNIFICANCE/ CONCLUSION
7.1			
7.2			
7.3			
7.4			
7.5			
7.6			

QUESTION 8 (21 marks)

ANSWER IN THE ANSWER BOOK PROVIDED

End of Exam