

THESIS TITLE	LEGAL MEASURES FOR DISPUTES RESOLUTION IN CASE OF TORT FROM MEDICAL SERVICES
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ABSTRACT

This thesis focuses on a study of legal limitation of dispute resolution in the case of tort from the medical services. It is an alternative dispute resolution procedure which currently not meets the satisfactions to solve the medical services dispute that out of court jurisdiction. It is also another remarkable problem which is the inaccessibility to the alternative dispute resolution in medical services dispute proceeded by the Center of Peace, the Ministry of Public Health as its framework for the case between citizen and authority under its monitoring is limited. Moreover, there is no current law to support the alternative dispute resolution for the citizen who suffers of dispute arose from private medical services. At present, Thailand has no law regarding alternative dispute resolution of medical services dispute so this situation leads to the waste of unexpected time and expense for citizen to claim their compensation additionally, the performance of sued medical practitioner and relativity between medical practitioner and citizen has also been interrupted.

According to the study, the alternative dispute resolution in the medical services dispute potentially brings benefit to the patient as a citizen as well as this can be a guideline to adjust and to encourage the alternative dispute resolution for the medical services dispute to be an effective

method. In addition, the objectives of alternative dispute resolution which are quick, and economizing and the quantity of cases brought to the court of Thai also well decreased.

Therefore, it is suggest that the dispute arose from medical services should be solved by alternative dispute resolution. The law regarding the alternative dispute resolution should be clearly legislated to establish understanding and to entrust citizen to choose the alternative dispute resolution rather than the court. In order to do so, the studied form, procedure and related law of alternative dispute resolution of foreign countries should be adopted to create harmonization to Thai society economy and culture. As a result, citizen who suffers of medical service dispute will be truly benefited from the medical services.