

Ethical and juridical considerations posed by the New Scientific Knowledge of the Living Organism versus traditional prevailing beliefs.

Any drug, biological or pharmacological product, as well as any technology applied to the Living-Organism, is processed by the organism itself and, their effects, positive or negative, are relative to appropriateness or not of the *scientific interpretation of vital phenomena* with the expected response.

Any medical practice based on erroneous scientific interpretation of vital functions is potential cause of harm: accidents, complications and even deaths (iatrogenia)

Any damage caused to the patient by medical practice is susceptible of *juridical responsibility*.

Scientific and Academic Institutions. Governmental Offices responsible for *Defence of Life and Health* in accordance with the Positive Right that guaranty it, are responsible for the adopted doctrines, as well as for the implementation of techniques and proceedings to be applied by the physicians in their professional practice.

Therefore:

1. Fortuitous damages caused to the patient by medical practice, under strict application of the established techniques and proceedings, are

institutional responsibilities, and not of the physician, who is the person licenced to the medical practice and in good faith believes in the goodness of his learning.

2. The physician is responsible for his own behavior. Hence, if the caused damage is attributable to *ignorance or incorrect use of the established norms*, he becomes responsible for the generated damages, due to inexperience or negligence (mal praxis).

3. To *ignore new contributions to scientific knowledge that contradict traditional believes*, no matter how rooted they are, without promotion of their discussion and reasoned experimental verification and, because of that, damage to Life or Health is caused, generates juridical responsibility.

4. National. Regional or International Organizations and Institutions, sharing responsibilities in teaching, diffusion and application of techniques and procedures for the practice of medicine, preventive or curative, have scientific, ethical and legal obligation to permanently promote the verification of the scientific truth, by means of reasoned discussion of the believes they support.