Title:
Dr. Fernando P. Solidum vs. People of the Philippines

Facts:
The case involves Dr. Fernando P. Solidum, a physician-anesthesiologist, who was convicted of reckless imprudence resulting in serious physical injuries to a three-year-old patient named Gerald Albert Gercayo. Gerald, who was born with an imperforate anus, underwent a pull-through operation under the care of Dr. Solidum and a surgical team at Ospital ng Maynila. During the procedure, Gerald experienced bradycardia and subsequently went into a coma, resulting in permanent severe physical impairments. Dr. Solidum was charged with failing to properly monitor and regulate the anesthesia, which was alleged to have caused a cardiac arrest and hypoxic encephalopathy in Gerald.

The case was initially filed in the Metropolitan Trial Court of Manila but was transferred to the Regional Trial Court (RTC) due to jurisdictional reasons. The RTC found Dr. Solidum guilty and sentenced him to imprisonment. He was also ordered to indemnify, jointly and severally with Ospital ng Maynila, the victim's family for damages. Upon appeal, the Court of Appeals affirmed the conviction, applying the doctrine of res ipsa loquitur as the basis for establishing Dr. Solidum's negligence. Dr. Solidum further appealed to the Supreme Court.

Issues:
1. Whether or not the doctrine of res ipsa loquitur was applicable.
2. Whether or not Dr. Solidum was liable for criminal negligence.

Court's Decision:
The Supreme Court acquitted Dr. Solidum. It held that the application of the doctrine of res ipsa loquitur was inappropriate, as it did not strictly prove negligence on his part. The Court determined that the first element of res ipsa loquitur, which requires that the accident is of a kind that does not ordinarily occur unless someone is negligent, was missing. Furthermore, upon reviewing the testimonies and evidence, the Court found reasonable doubt in Dr. Solidum's guilt for the crime of reckless imprudence resulting in serious physical injuries. The Court decided that the prosecution failed to establish the elements of reckless imprudence beyond reasonable doubt.

Doctrine:
1. Res ipsa loquitur applies when the circumstances of the incident, by their nature, support an inference of negligence and where the evidence excludes intentional conduct or

contributory negligence by the plaintiff. However, it does not automatically apply to all cases of medical negligence and must satisfy three elements: the accident is of a kind that ordinarily does not occur in the absence of negligence; the instrumentality or agency that caused the injury was under the exclusive control of the defendant; and the injury suffered was not due to any voluntary action or contribution by the plaintiff.

2. In medical malpractice cases, the plaintiff must prove by competent evidence the duty of care by the physician, breach of that duty, causation, and damages. Expert medical testimony is often required to establish the standard of care and whether the physician's conduct fell below this standard.

Class Notes:

1. **Res Ipsa Loquitur**: A legal doctrine used as a mode of proof in negligence cases. It requires satisfying three elements for its application.

2. **Reckless Imprudence**: Constitutes voluntarily doing or failing to do an act, without malice, causing damage due to inexcusable lack of precaution.

3. **Elements of Medical Malpractice**:

– Duty of care: Established by the physician-patient relationship.

– Breach of duty: Failure to conform to the standard of care expected.

– Causation: A direct link between the breach of duty and the injury so caused.

– Damages: Actual harm suffered by the patient.

Historical Background:

The case highlights the intricacies and challenges in proving medical malpractice or negligence within the Philippine legal framework, especially concerning anesthesiology. It underscores the importance of expert medical testimony in establishing the standard of care and assessing whether a breach has occurred.