

The impact of patient consent on plastic surgeon liability in UAE legislation

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Abstract: This study explores the legal implications of patient consent on the liability of plastic surgeons under United Arab Emirates (UAE) legislation. In the context of aesthetic procedures, informed consent plays a crucial role in defining the responsibilities and legal exposure of medical professionals. UAE laws, particularly Federal Law No. 4 of 2016 on Medical Liability, emphasize the necessity for explicit, written, and informed patient consent prior to any medical or cosmetic intervention. The research highlights how failure to obtain proper consent can result in civil or criminal liability for plastic surgeons, even if no negligence is proven. The paper examines court rulings and legal provisions demonstrating that a valid consent form must include details of the procedure, risks, alternatives, and expected outcomes. Moreover, cultural and ethical considerations in the UAE's legal system further shape the scope of liability and patient rights. Ultimately, the research concludes that informed consent not only protects patients' rights but also serves as a vital legal safeguard for plastic surgeons, reducing the risk of litigation when procedures have been performed competently.

Keywords: Medical liability regulations in the United Arab Emirates, Medical liability, Patient consent, Plastic surgeon obligations, Plastic surgeon professional errors.

1. Introduction

The regulation of medical liability in the UAE must extend beyond general provisions to address plastic surgeons as a distinct category, rather than equating them with general practitioners in terms of ethical and technical obligations. A dedicated section within the UAE Medical Liability Law should be established to outline the specific legal provisions governing the practice of plastic surgeons, the restrictions imposed on them, the nature of their professional obligations, and the penalties they may face. This specialized legal framework would clarify the extent of a plastic surgeon's commitment in both cosmetic enhancement procedures and therapeutic cosmetic surgeries. It would also define which procedures obligate the surgeon to achieve a guaranteed result and which merely require them to exercise due care.

The rapid advancements in plastic surgery techniques – such as the use of laparoscopic and robotic surgery – alongside the growing public enthusiasm for aesthetic procedures, have introduced significant risks. Patients frequently sign consent forms acknowledging their willingness to undergo plastic surgery and accept the associated risks. However, these developments have led to serious complications, including irreversible damage and, in some cases, fatal outcomes.

1.1. Research Problem

The research problem revolves around determining the extent of a plastic surgeon's liability for errors and damages resulting from plastic surgery under the general principles of liability outlined in

UAE Civil Transactions Law No. 5 - 1985 and the Medical Liability Law of the United Arab Emirates No. 4 - 2016. This study seeks to address the following key questions:

- What are the specific obligations and responsibilities of a plastic surgeon?
- Given the advancements in plastic surgery techniques, should a plastic surgeon's liability be assessed based on an obligation to achieve a specific result, or merely a duty to provide reasonable care?
- How does patient consent influence the determination of a plastic surgeon's liability for adverse outcomes?
- Is there a need for special legislation to regulate plastic surgery, or should amendments be made to the existing Medical Liability Law?

2. Research Methods

The methodology employed in this study follows a descriptive-analytical approach to the rules of medical liability. This research aims to provide an in-depth analysis of the risks associated with cosmetic surgery and the impact of patient consent on a plastic surgeon's liability when the expected results of cosmetic surgery are not achieved. The study relies on primary sources, including but not limited to literary publications, scientific journals, and online articles.

By adopting an analytical methodology, this research offers valuable insights that can benefit researchers from different countries. It presents a theoretical and methodological framework that can be adapted to similar studies on the significance and effectiveness of the general rules of civil liability and the specific provisions of medical liability in UAE legislation. Furthermore, the study's reliance on primary sources—such as literary publications, scientific journals, and online articles—can serve as a foundation for academic discussions and analyses.

In this way, this study contributes significantly to the global academic community, It also encourages further research aimed at advancing this field across different legal and medical contexts worldwide.

3. Concept and Origins of Plastic Surgery

With the rise of private institutions and clinics specializing in plastic surgery, cosmetic procedures have become increasingly widespread. Initially, plastic surgery was primarily associated with treating burns and congenital defects, but today, it has expanded to include operations aimed at enhancing physical appearance. This trend is particularly noticeable among women, though men have also become increasingly enthusiastic about cosmetic procedures, often without fully understanding the associated risks [1]

Despite the existence of ethical, legal, and professional regulations governing the cosmetic surgery industry, many clinics and private institutions violate these guidelines. These violations frequently stem from prioritizing financial gain over considerations of patient safety and well-being [2].

The UAE Medical Liability Law does not specifically address cosmetic surgeries. Instead, it provides general provisions applicable to all surgical procedures. Article 8 of the law states: "Except in emergency cases requiring immediate surgical intervention to save the life of the patient or fetus and avoid serious complications, surgical procedures may not be performed unless the following conditions are met:

A- The physician conducting the surgery must be qualified to perform it according to their scientific specialization, practical experience, and the degree of precision and significance of the procedure.
B- Necessary laboratory tests and examinations must be conducted to ensure that the surgical intervention is essential and suitable for the patient's treatment and that their health condition permits the procedure."

From a legal standpoint, this general provision is insufficient given the advancements in cosmetic surgery. Unlike in the past, cosmetic procedures are no longer solely therapeutic; they are increasingly

corrective and elective in nature. The law should emphasize the necessity of fully informing patients about potential risks, as many individuals undergo cosmetic surgeries without being aware of the possible long-term health consequences.

In cosmetic surgery, patient consent is a fundamental requirement that cannot be overlooked. Unlike emergency medical procedures, cosmetic surgeries are elective and performed under planned conditions. Patients are typically awake and fully aware of the process [3]. This necessitates obtaining explicit and informed consent before proceeding with the surgery.

For consent to hold legal validity, it must be based on the patient's clear understanding of the nature, type, and significance of the procedure, as well as its potential positive and negative outcomes [4]. The absence of full disclosure regarding surgical risks compromises the patient's ability to make an informed decision. If a patient consents under false assumptions—either due to error, fraud, or deception—this can be considered a legal defect. In such cases, the surgeon may be held liable for any harm resulting from the procedure [5]. Failing to adequately inform the patient about potential risks may constitute professional misconduct, reinforcing the surgeon's responsibility if adverse effects occur [6].

3.1. Types of Plastic Surgeries and Reasons for Resorting to Plastic Surgeries

Plastic surgeries can be broadly categorized into therapeutic and aesthetic procedures. These surgeries aim to improve the appearance of congenital or acquired defects caused by accidents or medical conditions. The motivations for undergoing plastic surgery vary, ranging from professional and psychological factors to other personal reasons, as elaborated below.

3.1.1. First: Types of Plastic Surgeries

1- **Cosmetic Surgeries:** This category includes procedures such as rhinoplasty, which corrects nasal curvature or modifies the external structure of the nose, including its width, length, and symmetry. Another common cosmetic surgery involves removing excess skin and fat from the abdomen. Additionally, rejuvenation surgeries aim to restore a youthful appearance by eliminating excess skin and wrinkles from the face and neck. These procedures are primarily conducted to enhance the patient's external appearance [7].

2- **Reconstructive Surgery:** This category includes procedures designed to treat congenital deformities or conditions resulting from external factors such as accidents, burns, and fractures. Reconstructive surgery is further divided into:

- **Congenital defects:** These arise from internal physiological malfunctions affecting primary or secondary bodily functions.
- **Acquired defects:** These result from external causes, such as injuries or accidents, that leave visible marks on the body, affecting a person's aesthetic appearance [8].

3.1.2. Second: Reasons for Resorting to Plastic Surgery

1- **Social Reasons:** Many individuals, particularly women, pursue plastic surgery to enhance their physical appearance. Some procedures, such as leg bone lengthening, are sought by individuals who wish to increase their height. Although this type of surgery focuses on an internal organ rather than a visible part of the body, it is classified as a cosmetic procedure rather than a therapeutic one, as short stature is not a medical condition. The primary motivation behind such surgeries is aesthetic enhancement, but for many patients, it also alleviates psychological distress caused by perceived physical imperfections [9].

2- **Psychological Reasons:** Psychological health is closely linked to physical appearance. Many individuals suffer from depression, social isolation, or self-esteem issues due to perceived physical imperfections [10]. Some individuals facing additional psychological distress may even contemplate

self-harm. Plastic surgery, in such cases, is sought as a means to alleviate emotional suffering and improve self-confidence.

3.2. *The Position of the Judiciary in UAE on Plastic Surgeries*

The position of the UAE judiciary and the Egyptian judiciary on plastic surgeries was not as strict as it is in France [11] “and summarized the matter so that the care required from the doctor is more than in other surgical cases, according to what was decided by the Federal Supreme Court and the Court of Cassation [12] (in Appeal No. 3 of 2015) which stated that: “It is established that even if he is a plastic surgeon like other doctors, he does not guarantee the success of the operation like other doctors, but the care required from him is more than in other surgical cases, considering that cosmetic surgery is not intended to cure the patient of an ailment in his body, but rather to correct defects in it in a way that does not expose his life to danger, and the doctor’s deviation from performing this duty is an error that requires his responsibility for the harm that befalls the patient as long as this error has been intertwined in a way that leads to his association with the harm, and the cause with the result, and when determining his responsibility, the effective cause causing the harm must be stopped without the incidental cause that is not of its nature to cause this harm.”

Our criticism of the UAE judiciary rulings is that not all plastic surgeries aim to correct defects. The purpose may be cosmetic, or there may be no defect. Rather, some people resort to this type of surgery to achieve perfection, which we see today. Therefore, it was supposed to clarify the type of plastic surgeries and their purpose, and based on that, determine the responsibility of the plastic surgeon, because he is the one who decides whether he can achieve this type of aesthetic improvement, and he must be asked about the result he may achieve, if he promised the patient this result.

Also in a recent ruling issued by the Dubai Court of Cassation, the facts of which are summarized as follows: “The first respondent filed suit No. 475 of 2018 at the Dubai Court of First Instance against the appellant and the rest of the respondents, requesting a ruling obligating them jointly and severally to pay the sum of 15,000,000 dirhams in compensation for the damages she suffered as a result of their error until the date of the advisory report and any new compensation and legal interest at a rate of 12% from the due date until full payment, based on the fact that she works as a theater actress and that the second respondent, for whom the appellant works, has a clinic specialized in same-day surgery, and that the third respondent practices plastic surgery and that during the month of March 2016, the second and third respondents reviewed the possibility of cosmetic surgery in the lower abdomen area and informed them that the appellant had an American expert in such surgeries, where the latter examined her and informed her of the possibility of performing that operation and that she needed other cosmetic surgeries in the thighs, forehead, eyebrow area and neck to appear more beautiful. As a result, she paid the sum of 270,000 dirhams, then the three agreed with Al-Qarhoud Hospital and the surgery was performed on 4/24/2019, but she was surprised by the strangeness of her appearance to raise the eyebrow from the sides without the middle. The appellant stated that there was nothing that could fix that at the fourth respondent’s monkey hospital. She also suffered from lower abdominal pain after the operation, and it turned out that the appellant had traveled outside the country. Then she was surprised by pain in the cheek area and that she could not close her lips and could not smile with swelling in the eye area. As a result, after she visited different hospitals several times, she confirmed that there was a medical error caused by the appellant. We see that according to the previous facts, cosmetic centers need judicial oversight consisting of committees assigned with oversight tasks, and these committees are medical and specialize in all medical cases, so every plastic surgeon must be asked about the surgical operations in which he promises to achieve an actual result for the patient, which the patient may often need, and the field must not be left open for experimentation on patients with this type of delicate surgery, especially when the judge asks the patient to prove the causal relationship between the damage and the surgical error, which forces the patient to go to experts or other clinics to obtain the necessary medical reports, and this raises problems represented in the delay in issuing the required reports as well as the opponents’ challenge to those reports.

3.3. Determine the Nature of the Plastic Surgeon's Commitment

The obligation that falls on the doctor towards his patient is an obligation to provide care and not to achieve a goal, as the doctor must provide the care required of him according to the scientific principles followed in the medical profession. As stated explicitly in Article No. 3 of the UAE Medical Liability Law, as follows: “Everyone who practices the profession in the country must perform his work duties with the accuracy and honesty required by the profession and in accordance with the recognized scientific and technical principles, and in a way that achieves the necessary care for the patient without exploiting his need for the purpose of achieving an illegitimate benefit for himself or others and without discrimination between patients. He must also abide by the legislation in force in the state.”

The term “care” in therapeutic plastic surgery means that the surgeon, when performing the surgical operation on the patient, is committed to making sincere efforts to achieve certain goals, regardless of whether those goals have been achieved or not [13] as long as the surgeon has provided the care required of him in accordance with the established medical principles.

Another academic opinion has tended to consider the plastic surgeon's commitment as a commitment to achieving a result [14] whereby the plastic surgeon who performs plastic surgery is committed to achieving a result once he accepts to perform this operation, and they consider that he is not permitted to practice it if it becomes clear to him from the initial examinations that there are some risks, and this is what the UAE judiciary has also adopted, as it has explicitly stated that the plastic surgeon must achieve a result in improvement operation [15].

The Abu Dhabi Court confirmed in a recent ruling the medical liability of plastic surgeons for the operations they perform, ruling that it is stipulated in accordance with Articles 282 and 291 of the Civil Transactions Law that the injured party may seek compensation from the perpetrator of the harmful act, and if there are multiple persons responsible for it, each of them shall be held accountable for his share therein. It is also stipulated that even if the doctor is not bound by the contract concluded between him and his patient to cure him or to ensure the success of the operation he performs for him, because the doctor's obligation is not an obligation to achieve a result, but rather an obligation to exercise care, the care required of him requires that he exert sincere and vigilant efforts for his patient that are consistent – except in exceptional circumstances – with the established principles of medical science. The doctor is held accountable for any shortcoming in his medical conduct that would not occur from a vigilant doctor at his professional level who was in the same external circumstances that surrounded the responsible doctor. Although the plastic surgeon, like other doctors, does not guarantee the success of the operation like other doctors, the care required of him is greater than in other surgical conditions, considering that plastic surgery is not intended to cure. The patient is not responsible for any illness in his body, but rather for correcting defects in it in a way that does not expose his life to danger [16].

The doctor's deviation from performing this duty is considered an error that requires his responsibility for the harm that befalls the patient, if this error has been intertwined in a way that leads to its connection to the harm.

When determining his responsibility, it is necessary to stop at the effective cause that produces the harm, without the incidental cause that is not of its nature to cause such harm. Whereas this was the case and it was established from reviewing the report of the delegated medical committee that it concluded in its report that the respondent was injured in the accident and that he was medically examined by a plastic surgeon in the Orthopedic Surgery Department, and it was found that he had suffered a collision in the lower left limb and swelling and enlargement in the left leg, which required the placement of a splint. He was treated surgically on 4/12/2011, where the left leg was covered with a fragmented skin flap, but the skin graft was not taken in a good way, and therefore the patient was treated surgically again on 4/24/2011. The patient complains of loss of sensation in the skin graft area, and the patient was estimated to have a final total disability rate of 44%. The respondent had requested compensation for his injury resulting from the accident, which was ((a minor wound in the lower right leg)) and the appellant insisted that the plastic surgeon performed the operation incorrectly, which led to other surgeries to correct the plastic surgeon's error that contributed to the aggravation of the

damage, and therefore he is responsible for his share in it. The court whose ruling was appealed did not address this defense or what was included in the report of the medical committee to clarify what procedures were taken based on the medical file and what plastic surgeries were performed on the respondent and the extent to which they conformed to the principles of the profession, and due care was taken to heal him, and whether any permanent deformities and disabilities had resulted from them and their percentage in relation to the permanent disability estimated by the medical committee at 44%. Therefore, if this is proven, the doctor is responsible for his contribution to causing the damage.

4. Plastic Surgeon's Commitment to Informing the Patient

4.1. *Informing the Patient of the Type of Cosmetic Surgery, Its Results, and Risks*

A patient's consent has no legal value unless it is based on clear awareness and understanding of the type of surgery to which they are consenting. In other words, valid consent requires comprehensive knowledge of the type, nature, and significance of the medical procedure, including both its positive and negative effects [17].

Plastic surgery differs from other medical specialties in that its primary goal is modification to enhance a person's appearance rather than responding to a medical necessity or emergency [2]. As a result, the plastic surgeon bears a heightened responsibility in ensuring that the outcome meets the patient's expectations. The surgeon is expected to achieve a positive result, ensuring that the patient's condition post-surgery is better and more aesthetically pleasing than before [18]. This is achieved through the use of all available scientific, medical, and technical resources, while refraining from surgical intervention if there are significant risks, considering that such procedures are elective rather than essential for the patient's survival or health.

A surgeon is not required to provide technical medical details to the patient; rather, it is sufficient to explain the purpose of the treatment, the likely results, and any associated risks. The basis of this obligation stems from the medical treatment contract between the doctor and the patient, wherein the doctor, possessing superior knowledge and expertise, is required to inform the patient—who lacks medical expertise—so they can make an informed decision regarding their treatment. The foundation of this obligation is the trust placed in the surgeon by the patient, acknowledging the imbalance in knowledge and experience between them.

A patient who suffers harm due to inadequate disclosure by a doctor may pursue one of two legal remedies: tort liability, based on the doctor's pre-contractual duty to provide necessary information, or contractual liability, based on the doctor's failure to fulfill their contractual obligation of disclosure. The UAE legislator reinforces this obligation in Article 8-C of Medical Liability Law No. 4 of 2016, which states:

“A written consent must be obtained from the patient if he is fully competent, or from one of the spouses or one of the patient's relatives up to the fourth degree if he is incompetent or partially incompetent or if it is impossible to obtain his consent, in order to perform the surgical operation or any other necessary surgical operation, after informing him of the possible medical effects and complications that may result from the surgery. Anyone who has completed eighteen years of age is considered competent to give consent unless he is incompetent.”

A critique of this approach is that a doctor's obligation to inform the patient may arise even before the formal conclusion of a medical contract. In other words, the duty to disclose can exist in the pre-treatment stage, before the doctor initiates any medical work or intervention.

4.2. *Stages of the Physician's Commitment to Informing the Patient*

4.2.1. *The First Stage: The Plastic Surgeon's Commitment to Informing the Patient During the Pre-Treatment Stage*

The physician's work begins with diagnosing the patient, which is the most precise and critical stage of medical practice. The UAE legislator highlights this responsibility in Article 4/8, stating: “Informing the patient or his relatives of the complications that may result from the diagnosis, medical

treatment, or surgical intervention before starting its application, monitoring them, and taking the initiative to treat them whenever possible.”

Providing information at this stage is crucial in preparing the patient psychologically for the medical process. A well-informed patient can rationally compare the outcomes of accepting or rejecting treatment, ensuring they receive medical intervention with confidence and informed consent. At this stage, the physician is required to provide clear, accurate, and sufficient information about the diagnosis. There is no prescribed format for this communication; the physician may use verbal discussions or other appropriate means to convey necessary information.

4.2.2. The Second Stage: The Plastic Surgeon’s Commitment to Inform the Patient When Starting Treatment

Once the diagnosis is confirmed, the surgeon must inform the patient during the treatment phase, which is one of the most critical stages of medical work. At this point, the physician must propose a suitable treatment plan, explain the method of treatment, and present alternative treatment options where applicable. The surgeon must take into account the patient's medical condition, physical and emotional tolerance, and psychological state when providing treatment options. Informing the patient of the different available treatments whether surgical, pharmaceutical, or radiological is essential, along with explaining the advantages and disadvantages of each. The patient must then be given the freedom to make an informed decision.

The researcher believes that a doctor should not impose a specific treatment on the patient but should present all possible alternatives with their respective pros and cons. This approach ensures that the patient is not deprived of potentially better alternatives due to financial limitations or other constraints. Allowing the patient to make an informed choice ultimately serves their best interests and promotes a transparent doctor-patient relationship.

4.2.3. The Third Stage: The Plastic Surgeon’s Commitment to Inform the Patient of the Surgery’s Complications

A crucial aspect of the plastic surgeon’s duty is to inform the patient about the possible complications and outcomes of the surgery. The surgeon is responsible for clearly communicating the expected results, both positive and negative, to the patient before proceeding with the procedure. This includes explaining the risks associated with the medical intervention and providing a full explanation of possible side effects. If the anticipated results do not align with the patient’s expectations, the surgeon must refrain from proceeding with the surgery [19].

Additionally, the surgeon must disclose potential side effects, including pain, scarring, deformities, and any possible disabilities resulting from the surgery. Patients must also be informed of the estimated recovery period and the time required to achieve the desired results.

Given the technological advancements in medical science, remote consultations using modern communication technologies now allow surgeons to provide detailed explanations and obtain informed consent before medical procedures. These digital tools facilitate awareness, ensuring that patients can make fully informed decisions regarding their treatment.

4.3. Patient Consent

The Emirati legislator defined the medical error that requires criminal and civil liability in Article (6) [20] medical error is a error committed by the practitioner of the profession for any of the following reasons:

1. His ignorance of the technical issues that every practitioner of the profession of the same degree and specialization is supposed to be aware of.
2. Failure to follow the recognized professional and medical standards.
3. Failure to act with necessary due diligence
4. Negligence and failure to act carefully and with precaution.

Patient consent refers to the acceptance of a medical procedure, whether therapeutic or surgical, with the intent of preserving or restoring the patient’s health. This consent can take multiple forms,

including written, verbal, or gestural, and may be explicit or implicit, as well as absolute or restricted [20]. In alignment with global medical liability laws such as those in Egypt and France, UAE law stipulates that patient consent is legally invalid if it is not obtained directly from the patient or their legal representative. If the patient is fully competent, their consent is the only valid form. However, if the patient is a minor or an adult under legal protection, the consent of their legal representative is required.

Under UAE law, a doctor's obligation does not end with obtaining a patient's initial consent. Since medical treatments are often ongoing and subject to change based on the patient's evolving health condition, informed consent must be continuously reaffirmed throughout treatment. Which is what the legislator stipulated in Article (5) Federal Decree-Law No. (4) of 2016 Concerning Medical Liability, A physician shall not:

1. Treat a patient without his consent except in the cases requiring emergent medical intervention and where it is not possible to obtain the patient's consent for any reason or where the patient's disease is infectious or threatens the public safety or health. The consent of the patient lacking legal capacity shall be accepted for the examination, diagnosis and providing the first dose of treatment provided that any of the patient's relatives or accompanying persons should be informed of the treatment plan.

Anyone who violates this will be criminally liable [20].

The legal significance of obtaining consent lies in its role as a prerequisite for the permissibility of surgical procedures, which otherwise would violate the principle of protecting the human body from harm [21]. While the law permits surgeons to treat patients with their consent, it does not grant them the authority to impose treatment against the patient's will, except in emergencies where surgical intervention is necessary to preserve life or prevent severe organ damage.

In plastic surgery, the patient's consent is a basic condition that cannot be ignored except in the exception mentioned below [22]. The basic principle in this surgery is to perform it in calm and thoughtful circumstances, and the patient is usually awake and fully aware, which requires obtaining absolute consent to operate [23]. An exception to this, as is the rule in general surgery, is if the plastic surgery is necessary and a primary goal in treating the patient, such as correcting congenital defects that affect the normal functions of the body's organs, or correcting defects resulting from accidents, or the inability to obtain the patient's consent due to his health condition resulting from an accident or disaster such as a burn to the face or severe wounds that left behind a terrifying sight, and the person was unconscious. It is noted in the cases that they are complex cases, as they are of a therapeutic and cosmetic nature [24].

Obtaining patient satisfaction is one of the most important responsibilities of a plastic surgeon, and the commitment to obtaining the patient's consent to undergo a procedure or plastic surgery must be preceded by obligations that the plastic surgeon must implement, as he must understand the patient's expectations and needs, which contributes to achieving satisfactory results. The surgeon must provide accurate consultations and manage expectations realistically to ensure a positive experience and successful results for the patient. The patient's consent to undergo plastic surgery must be based on several foundations, including effective communication by providing clear and comprehensive information about the procedures, risks, and expectations. Listening well to the patient's concerns helps build trust and allocating time for each patient to understand their needs and expectations [25] which shows personal interest, as well as displaying previous results by sharing before and after photos of previous operations to illustrate the surgeon's skills and the results of the work.

The plastic surgeon must deal with patients with complete transparency by talking to the patient frankly about the risks and possible side effects, which shows the credibility of the plastic surgeon.

As well as providing continuous support to the patient by providing care and follow-up after the operation, and responding quickly to inquiries or concerns.

5. Results

The study highlights the effectiveness of medical liability provisions in UAE legislation in holding plastic surgeons accountable for professional errors, even in cases where the patient has provided consent. Unlike other medical procedures, plastic surgery is primarily aimed at enhancing aesthetic features, restoring symmetry, and improving bodily proportions. This raises legal questions about the extent of the surgeon's responsibility, particularly when the results do not align with patient expectations. The study underscores the necessity of defining clear legal parameters to distinguish between therapeutic and purely cosmetic procedures and ensuring that patient consent does not absolve the surgeon of liability for negligence or misrepresentation.

6. Conclusion

In conclusion, this study emphasizes the need for legislative reforms to better regulate plastic surgery practices in the UAE. Unlike other medical specialties, plastic surgery involves a unique set of obligations, requiring plastic surgeons to be held to a higher standard of accountability. Given the nature of aesthetic procedures, which are often elective rather than essential, the study suggests that plastic surgeons' legal responsibility should extend beyond merely exercising due care to ensuring a reasonable degree of patient satisfaction.

To enhance regulatory oversight, the UAE Medical Liability Law should be expanded to include a dedicated chapter outlining the specific obligations of plastic surgeons, including:

- Clarifying the legal distinction between cosmetic enhancement and therapeutic cosmetic procedures.
- Establishing explicit legal criteria for determining whether a plastic surgeon is obligated to achieve a specific outcome or merely exercise professional care.
- Introducing stricter guidelines for informed consent, ensuring patients fully understand both the risks and realistic expectations before undergoing surgery.
- Implementing penalties for surgeons who fail to disclose risks or misrepresent expected results.

Judicial practices indicate a growing trend toward treating plastic surgeons' obligations as a commitment to achieving results rather than merely exercising care. Future legal reforms should reflect this perspective by holding plastic surgeons accountable for the outcomes they promise. Such regulations will ensure greater protection for patients and contribute to maintaining professional standards within the field of plastic surgery.

Transparency:

The authors confirm that the manuscript is an honest, accurate, and transparent account of the study; that no vital features of the study have been omitted; and that any discrepancies from the study as planned have been explained. This study followed all ethical practices during writing.

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