

Chapter 2

The World Today: Understanding How the Client Arrived to the Current Profile

“Men make their own history, but they do not make it as they please; they do not make it under self-selected circumstances, but under circumstances existing already, given and transmitted from the past.”

Karl Heinrich Marx (German Philosopher, 1818–1883)

Abstract To understand the present and make pointing out tendencies possible, it is of utmost importance to know and understand the historical process the world went through. The past is a determining factor for us to be able to become managers who are better prepared to face the current challenges. The historical comprehension leads to the maturing of knowledge and the broadening of the world view and the ways of the market. By analyzing the historical events related to the rights and behaviors of the consumer, we observe that even the facts that occur on different parts of the world end up having their role in changing the profile of the client. World events are not isolated islands; the world communicates and intertwines, provoking changes. This chapter aims to reunite a part of the world’s history through a few important facts that somehow helped guide the way people around the world changed their behavior, becoming more demanding regarding their consumer rights, leading up to us having the client in doctors’ offices with the current profile, in which they are ever more demanding and aware of their rights.

Historical Retrospective

“Only persons that really changed history are those who changed men’s thinking about themselves.”

Malcolm Little, also known as Malcolm X (one of the greatest defenders of African American rights in the United States, born in 1925 and murdered in 1965)

It is common knowledge that we are living a moment of great and quick transformations; however, although this is a widely discussed subject, many doctors can still be seen not fully noticing the repercussions of these changes in their work dynamics.

It is important to recognize the questions related to the urgent need of changes in the sense of a greater modernity in the health services, in all aspects that involve people as well as the general functioning of the workplace.

Within this point of view, the development and professionalization of the employees and even of the doctor to give quality treatment, focused on the attention, cordiality, professionalism, information, knowledge of the law, and socioenvironmental responsibilities, are essential.

To better understand this new profile of the society, as well as the individuals and the new concepts of treatment, it was necessary a brief analysis of some important facts that happened in the world and that with time greatly contributed in the creation of this new profile of market and client that now presents itself.

Of course it would not be possible to cite all the facts in this area that occurred in the world, but I make here an attempt to list some that I consider the most important ones happening throughout history:

1. In the Babylon of the eighteenth century B.C., the Hammurabi Code shows the existence of laws to handle matters related to family, succession, and patrimonial issues. Furthermore, there are references to issues related to pricing, quality, and quantity of products, as well as duties of liberal professionals, such as surgeons and architects, and autonomous professionals, such as contractors, also referenced. Penalties could be pecuniary, physical punishments, or even death. In the text, a concern over the protection in the buying and selling of products and businesses, as well as in social relations, can be observed. According to Hammurabi's legislation, people with lesser financial means paid less for certain products and services, while those financially better paid more.

In the articles 215, 216, and 217, it is stated as follows:

- If a doctor has done in an awilum a difficult incision with a bronze plate and healed the awilum or (if) cut open the nakkaptum (eyebrow) of an awilum with a bronze knife and cure the awilum's eye: he will take ten silver shekels.
 - If it is the son of a muskênum: the will take five silver shekels.
 - If it is the slave of an awilum, the owner of the slave will give the doctor two silver shekels.
2. In the thirteenth century B.C., the Massu code in India created sanctions for cases of food adulteration, foreseeing fines and punishments, as well as compensation of damages, to those who adulterated classifications (Law No. 697) or that delivered something of inferior quality to the one agreed upon or sold goods of equal nature for different prices (Law No. 698).
 3. There are studies about the testimonies of Cicero, in the first century B.C., in Greece, assuring a guarantee in case of, in the process of buying and selling, the salesman delivers goods of quality below that which was promised. He wished to raise alert and make sure that problems in the relations of consumer goods could be solved.

4. In France, 1481, during Louis XI's reign, the scalding bath was the punishment for those who mixed water with milk or sold butter with rocks, to increase its weight.
5. In the fifteenth century, in France, the adulterations were handled with physical punishments to the falsifiers.
6. In the seventeenth century, the advent of the microscope allowed the visualization and facilitated the replacement of passive observation to active experiencing, and it became a great ally to the consumer in the aid of the analysis of food, water, and adulterations, especially of spices.
7. In the United States, in 1773, colony period, the episode against tea taxes on the Boston Harbor (*Boston Tea Party*) is a registry of a manifestation of consumer reaction against the outrageous demands of the British farmers.
8. In 1789, in France, the "Declaration of Rights of Men and Citizens" was contextualized within the perspective that before considering the subject of the relationship of consume, one needs to recognize the individual as a citizen, subject of individual rights.
9. In Brazil, in 1840, the Commercial Code in its articles 629 and 632, established rights and obligations of the passengers of vessels.
10. In May 15, 1862, the first draft of the FDA, as the US Chemistry Division and Department of Agriculture.
11. The telephone has its invention attributed to Alexander Graham Bell in 1876. But amidst so much polemic, even the US Congress recognized in 2002, through resolution 269, that the first device was created around 1860 by the Italian Antonio Meucci, who called it the "talking telegraph." The telephone, with time, would become one of the greatest communication tools among consumers and companies.
12. In 1890, the edition of the Sherman Antitrust Act happened, also known as the Sherman Law, aimed to suppress frauds done in commerce, as well as outlaw dishonest commercials.
13. In 1891, Josephine Lowell, in the United States, had the initiative to create the "New York Consumers League," currently "Consumers Union," that kick-started the Consumer Movement, that spread throughout the nineteenth century and during the twentieth century, to the world.
14. In the year of 1894 the Telephone Central was invented, notably changing telephone communication. Since the invention of the telephone, the use of the device had not expanded much until then.
15. In 1906, Upton Sinclair writes *The Jungle*, describing the author's visit to a meat-based food factory. The intense repercussion of his work led to the editing of the Pure Food and Drug Act, due to the incredibly and countless negative revelations regarding the production process of those foods.
16. As a result of the Pure Food and Drug Act, in 1907 the Meat Inspect Act was created, aiming to inspect and control the meat commercialization.
17. In Sweden, the first consumer's protective legislation was approved in 1910.
18. In the United States, in 1914, the Federal Trade Commission is created, aiming to apply antitrust laws and protect the customer's interests.

19. PFDA (Pure Food Drug Insecticide Administration) comes forth in 1927 in the United States.
20. In 1930, in the United States, the FDA (Food and Drug Administration) begins to have their current designation, as well as more regulatory functions. This is the organ in charge of the liberation and control of medications and food that in 1938 began to attend to attributions and competences of the cosmetics segment as well.
21. In 1936, in the United States, Consumers Union arises, becoming a great organ of consumer protection in the world. Among its attributions was the publishing of magazines and books to advise consumers.
22. In the 1940s, in England and the United States, the practice of “social auditing” in the world begins to appear for the first time.
23. In the United States and Japan, after the 1950s, postwar period, the movement toward rapid ascension in the production and consumer markets began, leading clients to accelerate the process of change where the essence is demand for quality in every meaning.
24. From the postwar period on, in Brazil as well as in other Latin American economies, state intervention in the economy happened, especially on the basic sectors (power, transportation, mining, metallurgy, etc.).
25. In 1953, in the United States, the book *Social Responsibilities of the Businessman*, by Howard Bowen, was published, the theme being welcomed with great interest and space.
26. The 1960s were marked by important happenings for consumers. In the beginning of the decade, the IOCU (International Organization of Consumers Unions), currently known as CI (Consumers International), was created. The IOCU was initially composed of five countries: Australia, Belgium, the United States of America, Holland, and the United Kingdom. Brazil currently participates in the IOCU through Fundação Procon (Procon Foundation) and IDEC.
27. Though there are no exact dates, it is known that the call center began in its most elaborate form in the 1960s, in the United States. According to Gubert et al. (2004 p. 19), there are no dates of origin for the call center.
28. In the 1960s, call centers were created, making the communication of clients and companies much faster and more accessible.
29. A significant fact of the 1960s in Brazil, in what comes to consumer protection, was the decreeing of the Delegada Law No. 4 of 1962 that took effect until 1998 and aimed to secure the free distribution of goods.
30. In 1962, on March 15, John Fitzgerald Kennedy sent the American Congress a letter where he asked the congressmen that laws began to have a special attention to what comes to consumer rights, related to four aspects: right to security of protection against the commercialization of products dangerous to health and life; the right to information, which includes general aspects of advertisement and information on the product itself and its best utilization; the right of choice, fighting monopoly and antitrust laws and considering competition and competitiveness favorable factors to consumers; and the right to be heard that began to consider consumer’s interests when creating government policies and

regulation procedures. Currently, March 15 is celebrated as World Consumer Rights Day.

31. In 1965, in Malaysia, the first consumers organization for developing countries was created, the “Selangor and Federal Territory Consumers Association.”
32. In 1967 AT&T launched the 1-800, through which clients now could call companies that made their names available, without costs to the consumer.
33. In 1969, in the ambit of the OECD (Organization for Economic Co-operation and Development) (an international organization of developed countries with representative democracy and free market economic principles with head office located in Paris, France), a commission was created for consumer policies, initiated by Germany, the United States, France, and Holland.
34. In 1969, in Europe, a commission for consumers policies was created, being responsible for a report, delivered in 1972, that ended up leading to the creation of the Consumer Letter, the UN resolution over Directives for a Consumer Protection Policy (Resolution no. 39/248 of 1985) coming some time after that.
35. At the end of the 1960s, in the United States, the concept of ethics in business takes momentum, and this is mainly due to the attacks to the automobile industry and to the movement in defense of Consumers Rights.
36. In 1971, in Canada, Greenpeace, now with head office in Amsterdam, comes to life, an NGO with approximately three million collaborators, with offices in more than 40 countries, and whose goal is environmental protection. After its creation, the world seems to accelerate its course, toward a greater ecological consciousness, slowing down the environmental destruction, many other NGOs concerned over the matter arising with time. We watch the beginning of a global voice that demands fresh air, clean water, and a safe future for Earth.
37. Still in 1971, in Sweden, consumer protection began to count with the ombudsman and the consumer court.
38. After nearly 100 years of the telephone’s invention, in 1973, Motorola presents the first mobile phone device. This device was designed by Martin Cooper, the one who made the first call to the competition (Bell Labs), with whom they competed in the creation of a wireless phone device. This first call was received by Joe Engel, who later on perfected the technology and made Bell Labs responsible for the cell phone as we know today.
39. In France, Rover Law was edited, meant to protect small businesses and craft-work that had regulation norms of illicit publicity and permission to exercise civil action through consumer associations.
40. In the 1970s, in Europe, the idea of social responsibility of companies became popular.
41. In 1975 Microsoft is founded, the company that later on began to dominate the operating systems market. The initial public offering of the company was in 1986.
42. In 1976, Consumer Commission, stemmed from OCDE, created the Consumer Letter that constituted the first official document in Europe to discuss consumer rights. Although this document was very synthetic, it served as the base to the inspiration for Resolution C092/01 of 1975 (European Council) that

established a CEE preliminary program, turned to consumer protection and information.

43. In 1976, the Government of São Paulo created the first public agency for consumer protection, named Executive Group of Consumer Protection (Grupo Executivo de Proteção ao Consumidor), now PROCON. It was also in this decade that the promulgation and implementation of norms directed to the food segment (Act 986/69), healthcare (Act 211/70), and housing (Law 6649/79 on renting and 6676/79 on allotment).
44. In England, in 1977, the Unfair Contract Terms Act was created as a defense system for the consumer that wanted to know the nullifies of abusive clauses, especially those that could eliminate responsibility and risks to the supplier, outside of the requirements of reasonability, being that, in those cases, reasonability was objective, according to consecrated parameters.
45. With no consensus over the exact date, but it being set in the 1980s, the modern Internet appeared in the United States. Global systems of computer networks caused a revolution to human kind, turning old habits into new and creating new ones, shaping world information, work processes, social interaction, and human behavior. The Internet was shaped from pioneer study programs that were being developed since the 1960s, by the United States, United Kingdom, and France, but that had not created the Internet as it is.
46. On April 9, 1985, the UN, General Assembly of the United Nation, issued the Resolution no. 39/248, as guidelines for a Consumer Protection Policy, that can be pointed as one of the responsible for the concretion of basic consumer rights, restating the importance of government participation in the implementing of consumer defending policies.
47. In 1985, in Portugal, Act no. 446/85 of October 25, 1985, forbids hiring clauses contrary to good faith, safekeeping contracts, and even dealing with reparation for illicit acts done by those who guiltily cause harm to the other party.
48. In 1985, the UN General Assembly adopted Resolution no. 39/248 that established directives for consumer protection, highlighting the importance of government participation in the implementation of consumer defense policies.
49. In 1987, in Brussels, the *European Ethics Network* (EBEN) was created, aiming to give space to exchange programs of company managers and business administration students.
50. In November, 1989, the Berlin Wall fell down and, along with it, the border that divided Germany for 28 years.
51. In 1986, the International Institute for Economy, in Washington, promoted a meeting of which many international financial institutes attended and where the Washington Consensus was created as a reform program for Latin America that included market deregulation, commercial opening, increase of flexibility in work laws, rigorous fiscal adjustment, and state interference reduction.
52. In the beginning of the 1990s, the Internet was introduced to the world, changing the client to company relationship and global behavior.

53. In September, 1990, in Brazil, the approval of a Consumer Defense Code (CDC) also created the Consumer Defense and Protection Department, of the Economical Rights Office of the Justice Ministry. The biggest impact was not juridical but social: the clients became aware of their rights in the country.
54. In Germany, 1990, specific legislations were created, such as the VerbKrg (Consumer Credit Act) that intended to regulate credit contracts and credit procurement contracts, privileging the consumer's position that could now even revoke the contract unilaterally.
55. In 1991, the Soviet Republics, after an attempt of a Coup d'État, chose to end the USSR and adopt market economies.
56. In 1992, with initially about 50 companies, the Business for Social Responsibility organization is created in the United States.
57. In 1998, the concept of social responsibility for companies is introduced at the World Business Council for Sustainable Development, in Holland.
58. In 1998, in Brazil, the Ethos Companies and Social Responsibility Institute is founded, aiming to promote and disseminate socially responsible business practices, helping companies and society to achieve social, economic, and environmental development.
59. In 1998, Google is created to provide online and software services. Its public offering happened on August 19, 2004. Since the beginning, its mission is to organize world information and make it universally accessible and useful. Its slogan is "don't be evil."
60. 2004 is the year when Facebook is created, a website and social network service. In 2012 it hit the one billion users mark, becoming the biggest social network in the world.
61. In June, 2012, more than 2.4 billion people were counted as users of Internet services, more than a third of the world's population.
62. According to an ITU report, in 2014, the number of connected people in the world was nearly three billion people, almost 40 % of the world's population.
63. According to a consultancy, in 2014 the world's e-commerce had an over 20 % growth, reaching nearly 840 billion dollars.

Understanding History

"We must be inserted in the globalization process. We cannot choose whether or not to participate on it."

Alfredo Riskallar, president of the Stock Exchange of São Paulo, about globalization.
Source: Isto é Magazine—Date of publishing: Aug 21, 1996.

Of course the facts highlighted address only some of the happenings throughout man's history in the world, but it's possible to take conclusions based on these facts.

We can clearly observe from the course of history that happenings inexorably occur in a way to create in our society citizens that are informed, demanding, critical, and aware of their rights, as well as environmental and social matters.

The relationship with clients goes beyond money exchanged for products or services. It implies a balance of rights and duties for both sides. At the same time, it is also apparent that companies, public agencies, and nongovernmental organizations have showed great concern over sharing responsibilities over social actions with the state, intending to fight social inequities and support minorities.

With all this, it is possible to see social responsibility and ethics mobilizing an increasingly bigger number of organizations that believe that this is the way to sustainability and the creating of a society more prosperous and honest.

The great theme today is social or socioenvironmental responsibility. It can be said that having social responsibility implies in a way of developing your business in a way that your actions show concern and looks after the well-being of the community, the environment, and your staff.

The spreading of the Internet, without a doubt, was an extremely remarkable presence in our history, through the popularization of the computer as a communication and universalizing of information tool and even actually facilitating access to medical information by the clients, which in turn are led to ask more questions to their doctor.

This behavior demands an increasingly greater investment and preparation from the doctors and their staff, in what comes to acquiring and updating of knowledge, technologies, client treatment, as well as comfort and convenience in the physical space.

For the last few years, there was also an increase in health insurances and medical assistance, diluting the amount of participation of each company in this field, gradually pulverizing the segment, and, with that, establishing new rules that arrive to make the doctor's ascension even harder.

The Internet has also made information more instantaneous and widely democratic, which brings us to another problem: the over-information, where we always feel the need to be informed, news multiplying constantly, making the holding of information simply unfeasible.

With all this, to follow the evolution in the information world, its technologies and new client profile, many doctors, individually or in groups, end up investing in building new, modern, bold, and well-equipped hospitals and clinics, as well as in greater attendance to medical events, looking to update themselves, while others remain stuck in the same place, making clients realized the polarizing and contrast between one and the other, which ends up making clients increasingly more demanding and the doctor increasingly more exposed to this market evaluation. It is common to see that after being in modern environments and with a better prepared professional treatment, the difference regarding those that remain stuck in time is even more obvious and uncomfortable.

We conclude, then, that individuals are transformed by all these happenings in our history, and their attitudes, behaviors, and expectations quickly go through modifications, leading them to develop profiles that are presented to us every day inside the clinics, where criticism, demands, and expectations regarding treatment and services provided in the doctor's office are extremely high.

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