Crossing the Patient Safety – Medical Liability Chasm: The Seven Pillars

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A Comprehensive Response to Patient Incidents: The Seven Pillars. McDonald et al *Quality and Safety in Health Care, Jan 2010*

- Reporting
- Investigation
- Communication
- Apology with remediation – including waiver of hospital and professional fees
- Process and performance improvement
- Data tracking and analysis
- Education – of the entire process
The Original Seven Pillars: A Comprehensive Approach to the Prevention and Response to Patient Events

- Data Base
- Unexpected Event reported to Safety/Risk Management

Patient Harm?

- No
- Yes

Consider “Second Patient” Error Investigation Hold bills

Inappropriate Care?

- No
- Yes

Full Disclosure with Rapid Apology and Remedy

Process Improvement
What’s wrong with this picture??????

Data Base

Patient Harm?

Yes

Consider “Second Patient” Error Investigation Hold bills

Inappropriate Care?

Yes

Full Disclosure with Rapid Apology and Remedy

No

Unexpected Event reported to Safety/Risk Management

Process Improvement
After Patient Family Input 2006
The Seven Pillars:
A Comprehensive Approach to the Prevention and Response to Patient Events

Data Base

Patient Harm?

Consider "Second Patient" Error Investigation
Hold bills

Inappropriate Care?

Full Disclosure with Rapid Apology and Remedy

Process Improvement

Activation of Crisis Management Team – emotional first aid

"Near misses"

Unexpected Event reported to Safety/Risk Management

Patient Communication Consult Service 24/7 Immediately Available

Yes

No

Yes
Goals of the Seven Pillars

- Reduce harm thru transparency and learning
- Reduce lawsuits through early, effective communication with all parties
- Resolve inappropriate care cases early, efficiently
- Defend appropriate care vigorously
- Support patient and family engagement
- Support care professionals following harm events
AHRQ Grant

- 10 private hospitals, self insured
- Open medical staffs, private professional liability coverage
- 7 from faith-based system
- 2 from a “for profit”
- 1 underserved inner city
- Most with resident physicians
Interventions

- Leadership engagement
- Gap Analysis
- Reporting
- Root Cause Analysis – Process Improvement
- Communication – Resolution
- Hospital and Professional Fee Waiving/Tracking
- Care for the Care Giver
- Crisis Event Management
Questions?
Role of Federal and State Policy Makers

- Funding support
- Collateral Source Rule
Collateral Source Rule

- What is it?
- What is the impact?
- What about Wyoming: “a plaintiff is entitled to recover the reasonable value of the medical services necessary to treat the injury, even if the expenses were paid by the plaintiff’s insurer and, even if the medical services are rendered gratuitously” *Grayson*, 256 F2 at 65-66 [applying Wyoming law].