Disclosure, Transparency, and Compassion Following Medical Errors and Adverse Events

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Speakers

Beth Boynton, RN, MS, is a national speaker, consultant, and the author of “Confident Voices: The Nurses’ Guide to Improving Communication and Creating Positive Workplaces.” She specializes in communication, collaboration and emotional intelligence for healthcare professionals and organizations and is trained in the Professor Watson Curriculum for Medical Improv through Northwestern University Feinberg School of Medicine. Her video, “Interruption Awareness: A Nursing Minute for Patient Safety,” and blog, “Confident Voices in Healthcare,” have drawn audiences from all over the world.

Leilani Schweitzer, BA, did not choose a career in healthcare; it chose her. Eight years ago her son died after a series of medical mistakes, now she works in Risk Management at the same hospital where those errors happened. As a Patient Liaison for Stanford Health Care, she uses her own experience with medical errors to navigate between the often insular, black and white legal and administrative sides of medical error; and the gray, emotional side of the patient and family experience. Her work at Stanford gives her a unique view of the importance and complex realities of disclosure.
Objectives

1. Explain communication strategies that can help with difficult disclosures.

2. Identify dialogue styles and techniques that can be applied to challenging dynamics common in nurse practice settings.
What is Disclosure?

► An on-going conversation
  ► led by the needs of the patient or their loved ones

  • Fulfills obligation of informed consent
  ► patients have the right to understand their medical care
Why is Disclosure Important?

- Respect for patients after an unexpected event
- Healing for care teams
- Encourages transparency improves patient safety.
- Saves financial & emotional costs of litigation
Deny & Defend vs. Disclosure & Transparency

After a medical error patients want three things:

▶ An explanation of what happened
▶ A full apology
▶ Improvements made ensuring the error never happens again
WHAT IS SUMIT’S POLICY FOR RESPONDING TO INCIDENTS INVOLVING PREVENTABLE UNANTICIPATED OUTCOMES OR MEDICAL ERROR?

The Stanford Hospital & Clinics, the Lucile Packard Children’s Hospital at Stanford, and Stanford University Medical Indemnity and Trust Insurance Company (SUMIT) provide caregivers and hospital managers, around-the-clock telephonic risk and claims advice when there is an incident involving preventable unanticipated outcomes or medical error. The policies and procedures in place allow for appropriate disclosure to patients of a problem or unanticipated outcome, although it is not recommended that fault be assigned until there is a thorough review of the matter.

In cases that involve preventable unanticipated outcomes, SUMIT recommends apologies be made to the patient, that physicians and caregivers relay what lessons have been learned from the incident, and in certain cases—and only with the approval of SUMIT Risk Management—early offers of compensation may be made in order to resolve patient and family needs and loss.

In the case of patients under 18, the term “patient” includes the parent, as appropriate, and the patient’s legal representative. For example, the patient’s parents or legal guardian.
- Lead with compassion
- Be prepared, but don’t worry about exact words
- Don’t be afraid of your own human responses
- Communication skills & practice are key
Communication Skills:
Review of Basics

- Listening
  - Why
  - How

- Speaking-up/assertiveness
  - Why
  - How
Is this basic knowledge enough?

No!
Effective communication is much more complicated than it looks!

- Requires emotional intelligence
- Involves human behavior & relationships
- Takes place in stressful healthcare environments
How can we improve communication given these challenges?

- Recognize that learning is more complicated than it seems
- Utilize experiential and interactive teaching strategies
- Create opportunities to practice
Dialogue styles & techniques

These will help with all difficult conversations and challenging dynamics

• Perspective-taking
• Validation
• Ownership
Perspective-taking
What is it? What could it be?
Validation

- “Yes, and...”,
- ‘yes, but…’,
- ‘No”
Ownership/Accountability

- Warm-up activity for staff or unit meetings
  - “I am__________”
- Use questions and listening to build assertiveness
  - “What do you need in order to:
    - Wash your hands per protocol?
    - Take meal and rest breaks regularly?
    - Administer medications safely?
    - Get along with your coworkers?
    - Etc., etc., etc.
Dialogue and Q & A
Resources

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Thank you for attending!!!

Questions???

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