CONTENTS

Exhibits, Figures, Tables, and, Photos ix

The Contributors xiii

Preface xxvii

About the Book xxix

ONE DEVELOPMENT OF A RISK MANAGEMENT PROGRAM 1

Learning Objectives 1

Risk Management Program Development 3

Key Structural Elements of the Risk Management Program 4

Scope of the Risk Management Program 8

The Risk Management Process 13

Evolution of the Risk Management Program 21

Selecting an Appropriate Risk Management Program Structure 22

Assessing Areas of the Organization That Need Risk Management 23

Key Components for Getting Started 26

Writing a Risk Management Program Plan 27

Achieving Program Acceptance 27

TWO THE HEALTH CARE RISK MANAGEMENT PROFESSIONAL 31

Learning Objectives 31

The Risk Manager's Job: Functional Areas of Responsibility 33

Health Care Risk Management Across a Spectrum of Settings 53

Required Skills for the Successful Health Care Risk Management Professional 76

Risk Management Ethics 77

A Profile of the Health Care Risk Management Professional 78
Education and Professional Recognition Programs 78

THREE PATIENT SAFETY AND THE RISK MANAGEMENT PROFESSIONAL 87
Learning Objectives 87
The Scope of Medical Errors 89
Seeking Solutions: What Are the Causes of Medical Errors? 91

FOUR HEALTH CARE LEGAL CONCEPTS 115
Learning Objectives 115
Legal Issues Common to All Health Care Providers 116
Legal Issues Related to Specific Health Care Providers 134

FIVE GOVERNANCE OF THE HEALTH CARE ORGANIZATION 157
Learning Objectives 157
Essential Responsibilities of the Hospital Board 159
Basic Legal Duties of Health Care Trustees 160
Lessons from the Panel on the Nonprofit Sector 162
Federal Sentencing Guidelines for Organizations 165
The Sarbanes-Oxley Act of 2002 167
The Volunteer Protection Act of 1997 169
Risk Management and the Board 170
The Medical Staff, Risk Management, and the Board 175

SIX EARLY WARNING SYSTEMS FOR THE IDENTIFICATION OF ORGANIZATIONAL RISKS 181
Learning Objectives 181
Early Identification of Exposure to Loss 182
Food and Drug Administration 206
Institute for Safe Medication Practices, United States Pharmacopeia, and National Coordinating Council for Medication Error Reporting and Prevention 208
Medical Event Reporting System—Transfusion Medicine 212
Intensive Care Unit Safety Reporting System 212

Pittsburgh Regional Healthcare Initiative 212
Other Voluntary Programs 212
Standardizing a Patient Safety Taxonomy:
The National Quality Forum 213
Protecting Sensitive Information 213

SEVEN THE RISK MANAGEMENT PROFESSIONAL AND MEDICATION SAFETY 219
Learning Objectives 219
Latent and Active Failures 220
Systems Thinking 221
Risk Management: A Prioritizing Approach 252

EIGHT ETHICS IN PATIENT CARE 261
Learning Objectives 261
Ethical Principles and Moral Obligations 263
Research 263
Institutional Review Boards 266
Patient Self-Determination Act 275
"Do Not Resuscitate": Withholding or Withdrawing Treatment 277

NINE DOCUMENTATION AND THE MEDICAL RECORD 287
Learning Objectives 287
Documentation 291
Record Retention 310
Release of Records 310
Ownership of Medical Records 311
Medical Record Audits 312
Documentation and Risk Management 313
Emerging Risk Exposures 320
The Risk Management Professional's Role 321

TEN STATUTES, STANDARDS, AND REGULATIONS 327
Learning Objectives 327
Patient Care 328
Medicare Modernization Act 331

Medical Staff 332
Life Safety Code 350
Federal Health Insurance Laws and Regulations 354
Tort Reform 357
Policy and Procedure Manuals 359
Case Law 360

ELEVEN BASIC CLAIMS ADMINISTRATION 367
Learning Objectives 367
The Claims Environment 368
The Claims Process 369
The Risk Management Professional's Responsibilities 371
Regulatory Reporting of Claims 378

TWELVE INTRODUCTION TO RISK FINANCING 381
Learning Objectives 381
Risk Financing in the Context of the Risk Management Process 384
Risk Retention 384

THIRTEEN INSURANCE: BASIC PRINCIPLES AND COVERAGES 395
Learning Objectives 395
Definition of Insurance 396
Specific Types of Insurance for the Health Care Industry 408

FOURTEEN INFORMATION TECHNOLOGIES AND RISK MANAGEMENT 427
Learning Objectives 427
Risk Management Information Needs 430
Risk Management Information Systems 431
Using Information Systems to Generate Reports 432
Integrating Risk Management, Quality Assurance, and Patient Safety 433
Electronic Mail 434
Internet- and Web-Based Technology 435
Personal Health Record 435

Electronic Health Records and Systems 436
Clinical Information Systems and "Smart" Technologies 437
Infrastructure Technology 440
Point-of-Care Technology 442
Telemedicine 442
Appendix 14.1: IT Glossary for Risk Managers 447

FIFTEEN RISK MANAGEMENT METRICS 451
Learning Objectives 451
Benchmarking Defined 453
Claims 456
Measuring Change 459
Developing New Metrics 461

SIXTEEN ACCREDITATION, LICENSURE, CERTIFICATION, AND SURVEYING BODIES 467
Learning Objectives 467
The Consumer Era of Health Care 468
What the Health Care Risk Management Professional Needs to Know 469
Mandatory Surveying Bodies 471
Voluntary Surveying Bodies 475
URAC 489
Appendix 16.1: Accreditation and Licensure Organizations, Surveying Bodies, and Government Agencies 501

SEVENTEEN EMERGENCY MANAGEMENT 503
Learning Objectives 503
The Steps of Emergency Management 505
Prevention 506
Planning and Preparation 511
Implementation and Response 525
Recovery 526
Recommended Web Sites 528

EIGHTEEN OCCUPATIONAL SAFETY, HEALTH, AND ENVIRONMENTAL IMPAIRMENT 529

Learning Objectives 529
Administrative Procedure Act 530
Administrative Enforcement 532
Specific Occupational Safety and Health Issues 535

APPENDIX A A RISK MANAGEMENT PROGRAM (EXAMPLE) 543

APPENDIX B REQUEST FOR RECORDS FORM (EXAMPLE) 549

APPENDIX C A GUIDE TO MEDICAL TERMINOLOGY 551

GLOSSARY 565

INDEX 623

EXHIBITS, FIGURES, TABLES, AND, PHOTOS

EXHIBITS

2.1	Patient Safety Officer Job Description	34
2.2	Risk Manager Position Description, Level One	36
2.3	Risk Manager Position Description, Level Two	41
2.4	Risk Manager Position Description, Level Three	46
2.5	Chief Risk Officer Position Description	59
2.6	Physician Risk Manager Job Description	71
3.1	The 2009 National Patient Safety Goals	100
6.1	MedWatch Form 3500	207
6.2	USP Medication Errors Reporting Program Form	209
6.3	NCC MERP Index for Categorizing Medication Errors	210
6.4	NCC MERP Index for Categorizing Medication Errors Algorithm	211
9.1	Questions for Medical Record Review	312
10.1	MedWatch Form for Reporting Serious Patient Injury or Death	341
10.2	Sample Board Resolution	359
10.3	Sample Legislative Update	360
14.1	Security Checklist for Information Technologies	440
15.1	Total Cost of Risk Report	458
17.1	Vulnerability Analysis Chart	506
17.2	Training Drills and Exercises Schedule	508
17.3	Hazard Vulnerability Analysis	512
17.4	Emergency Management Planning—Standards and Regulations	517

FIGURES

1.1	Steps in Risk Management Decision Making	14
3.1	Most Frequent Adverse Events in Hospitalized Patients	90
3.2	The Swiss Cheese Model of Accident Causation	93
3.3	The Blunt End/Sharp End Model of Accident Causation	94
3.4	Human-Machine Interface	103
3.5	Components of Human Factors Assessment	104
7.1	Entry for Benzathine on the Patient's Chart	223
7.2	Faxes Don't Always Resolve Order Communication Problems	230
7.3	Error Reduction Strategies	253
12.1	Risk Management Process Structure	385
12.2	Risk Financing Continuum	391

TABLES

2.1	Types of Organizations	54
2.2	Level of Education	79
2.3	Highest Level of Educational Training	80
2.4	Job Functions and Titles	80
6.1	Common Barriers to Incident Reporting	191
6.2	Key Points to Remember About Incident Reports	193
6.3	Emergency Department Occurrence Reporting Criteria	197
7.1	Essential Patient Information	225
7.2	Patient-Controlled Analgesia (PCA) Problems and Safety Recommendations	239
7.3	Using Failure Mode and Effect Analysis to Predict Failures with Infusion Pumps	245
7.4	Effects of Fatigue	249
7.5	High-Alert Medications by Class or Category	254
7.6	Specific High-Alert Medications	255
7.7	High-Risk Patient Populations	256
7.8	Error-Prone Processes	256
9.1	What Constitutes a Medical Record?	288
9.2	Types of Documents of Interest to Health Care Risk Managers	289

9.3	Advantages and Disadvantages of the SOAP Model of Documentation	298
9.4	Documentation Dos and Don'ts	308
9.5	What Plaintiff's Attorneys Look for in the Medical Record	314
9.6	Essential Charting Components of Interest to the Health Care Risk Management Professional	318
12.1	Types of Insurance	389
16.1	CMS Regional Offices	474
16.2	Major Requirements of ISO 9001 Standards	482

PHOTOS

3.1	Poorly Designed Paper Towel Dispenser and Disposal Unit	106
7.1	Door Handle	224
7.2	Capsule Quantity Is Often Mistaken for Product Strength	232
7.3	Top Six Vials Are Brethine; Bottom Eight Are Methergine	233
7.4	Mix of Opthalmic and Respiratory Medications	234
7.5	Tubing Lines	243
7.6	IV Tubing to Oxygen	244
7.7	IV Misconnection	245