

Medical Indemnity Forum

24th August

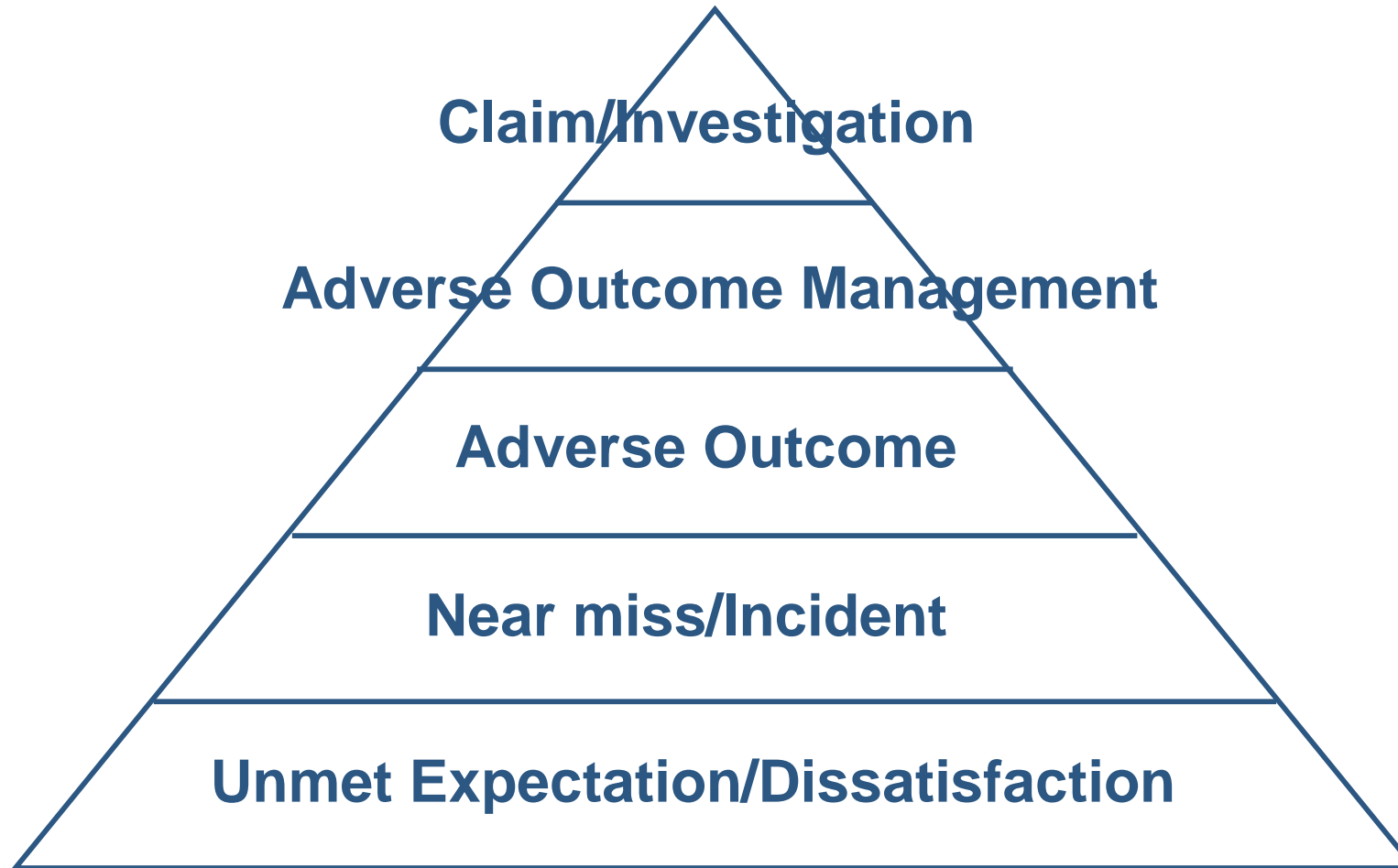


Issues and Trends in Risk Management

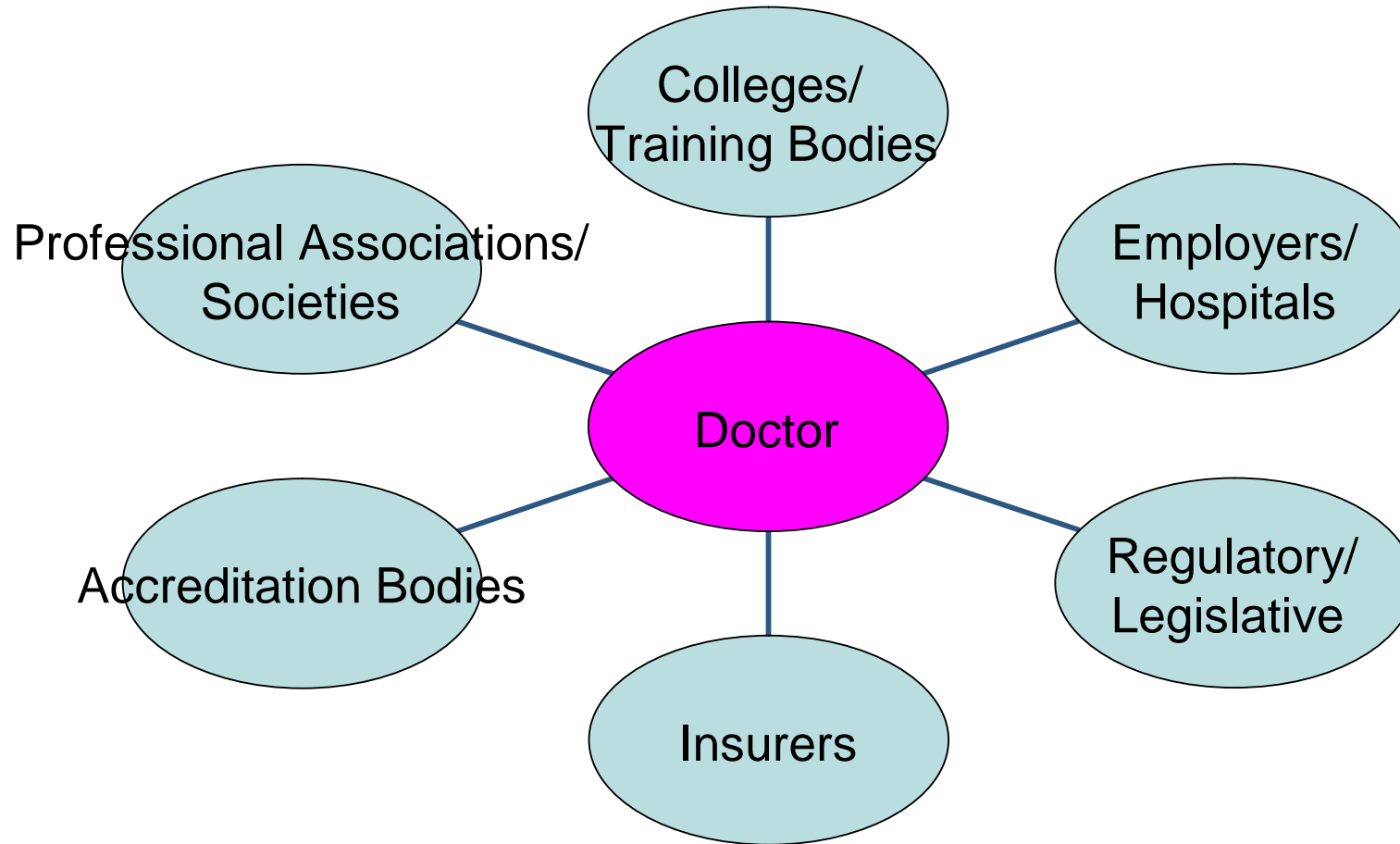
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MDA National**

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The Avant Mutual Group**

Differing Perspectives



A doctor's RM requirements



Role of MIs In Risk Management

- **Assist members meet eg PSS requirements**
- **Statutory reporting (eg HCLA in NSW)**
- **Provide data on claims and their causes**
- **Highlight “bread and butter” issues**
 - **systems failures (eg follow up)**
 - **communication issues (pre & post treatment)**
 - **patient selection (eg cosmetics, ophthalmology)**
 - **changes in medical law**

How do MIs Risk Manage?

- **Clinical Risk Management**
 - Education services to all members
 - macro – whole membership
 - micro – targeted to specific groups
 - “Higher risk” member remediation
- **Underwriting Risk Management**
 - General – accurately rating ‘risk’ by discipline, specialty, income bands etc
 - Specific – use of deductibles, loadings

Approach

- **Macro**
 - aggregated “all member” approach
 - specific approach
(members grouped by nature of work, specialty, inherent risk)
- **Micro**
 - Established higher risk individuals
 - Identified ‘outliers’
 - individual intervention

Key Points

- **Not all adverse outcomes are preventable**
- **Most people with an adverse outcome don't sue**
- **Most people (US, UK) who sue have not been victims of medical negligence**
- **Good management after adverse events mitigates claims (Empathetic communication, open disclosure)**
- **Difference between *negligence* and *incompetence***

Tort Reform

- **Claims ↓ Complaints ↑ (Med Brd, HCCC)**
- **Claims**
% ↓ in total number much greater than
% ↓ in total cost
- **Complaints (and compensation paid outside litigation) now more complex hence more expensive to manage**

“Hot” Issues - Established

- **By number**
 - Missed/delayed diagnosis
 - Intra/post operative complication
- **By cost**
 - Neurologically impaired baby
 - missed diagnosis of meningitis
 - failure/delay diagnosis cancer

“Hot” Issues - Identification

- **Notifications from members (eg Implanon)**
- **Research/Literature**
- **Colleges/Profession**
- **Bodies – regulators, coroners, safety orgs**
- ➔ **Assessment of risk**
- ➔ **Strategies to manage risk**

“Hot” Issues - Emerging

- **Telemedicine**
- **New procedures**
 - ? bariatric surgery
(US claims mainly gastric bypass ops, Aust. tending to lap band)
 - new cosmetic procedures
 - growth in day surgery and minimally invasive surgery
- **Ageing population**

Does Risk Management “Work”?

- **Very difficult to measure**
 - long ‘tail’
 - too much ‘static’ in the ‘ether’
(very difficult to link cause and effect)
- **US data**
 - COPIC, Michigan Health System,
VA Hospital Lexington Kentucky
- **Australian data**
 - best regarded as soft, but suggestive

Does Risk Management “Work”?



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QUESTIONS?