



# Reducing risk of Negligence and Patient Harm and The Role Of Case Management

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Vernell kea CCTN, RN

Nursing 4030

Case Management: Role and Process

Professor Kathleen Falk MS, FNP, DNS

# Reducing risk of Negligence and Patient Harm and The Role Of Case Management

The five main sections are:

- patient safety/preventing harm
- team approach to patient safety
- organizations that focus on patient safety
- elements of negligence in case management
- malpractice avoidance.

# Patient safety/ Preventing harm

- Case managers incorporate patient safety into every phase of care
- Within the case management process there are certain guidelines called National Patient Safety Goals (NPSG's) which house specific requirements for improving quality and patient care safely in the health care organization.
- The NPSG's were set up by the Joint Commission; the case manager plays a vital role in helping organizations stick to the NPSG's.
- Some NPSG's that were singled out to case management were in the area of communication, medication, health care associated infections, medication reconciliation, patient's active involvement in their own safety, safety risks, and recognition of changes in a patient's condition.
- however, team effort is better when it comes to providing optimal care.



# Team approach to patient safety

- Maintaining patient safety takes a collaborative effort from doctors, nurse techs, physical therapy, dietary, and all other disciplines involved in the patient's care.
- “Patient Safety: latent risk factors” - safety should be embodied throughout the institution, part of the culture, and minimize latent causes that might accidentally combine to produce injury.
- Team work not only provides safer and optimal care but lowers stress levels for the team members as well.
- Case managers continuously make collaborative efforts and promote team work strategies to further ensure optimal patient safety and care.
- There are also various organizations that focus on the patient safety as well.

# Organizations that focus on patient safety

- There are eight organizations : Joint Commission, National Patient Safety Foundation, Agency for Healthcare Research and Quality/Patient Safety Network, Institute for Healthcare Improvements, United States Department of Veterans Affairs/National Center for Patient Safety, Consumers Advancing Patient Safety, and Patient Safety News.
- The case manager has many resourced to draw from in providing patient safety.
- The Joint Commission's vision statement states that “all people always experience the safest, highest quality, best-value health care across all settings” which speaks loudly to patient safety.
- Having the vast amount of organizations that focus on patient safety is rewarding to the patient and very resourceful to the case manager.
- These organizations play a vital role in the role of case management of safe and effective care.
- The case manager plays an important role in assisting organizations to adhere to the standards of the NPSG's (Powell & Tahan, 2010).
- Safety is a huge part of the case manager's task but failure to provide safe and optimal care could lead to legal issues.

# Elements of negligence in case management

- *Negligence* is failure to protect others against unreasonable risks of harm.
- Four elements of negligence: *duty, breach, causation, and harm*.
- *Duty*: case managers have a legal obligation to ensure the safety of the patient.
- *Breach*: unknowingly exposed the patient to harm or should have recognized that harm might have occurred.
- *Causation*: If a patient suffers an injury and there is proof that the case manager breach of duty actually caused the injury.
- *Harm*: an injury experienced as a result of the breach.



# Malpractice avoidance

- Malpractice is based on the idea that someone with specialized knowledge and skill, by virtue of education and experience, should know how to act in his or her specified field (Powell & Tahan, 2010).
- As stated by the Practice Management Resource Center, “over 40% of malpractice claims reported are caused by administrative errors and poor client communication”
- Some examples of case management negligence are: premature discharge from a hospital or home care, negligent referrals to care centers, inadequate communication with doctors and patients, and violation of HIPPA laws
- Communication seems to be a factor in many legal matters. The case manager should establish effective communication with all disciplines involved in the patient care as well as with the patient and family.
- Avoidance of malpractice is crucial to maintaining licensure.
- Most of the common malpractice claims against nurses fall in the category of :failure to follow standards of care, failure to use equipment in a responsible manner, failure to communicate, failure to document, failure to access and monitor, and failure to act as a patient advocate (Resing & Allen, 2007).
- In order to avoid negligence the case manager should follow protocols, follow proper standards of care, document all findings, provide relevant discharge information, advocate for his or her patients, and communicate important data to the physician, patient, and family.

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