

Breaking the Silence:

Disclosing Medical Errors to Clients



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Breaking the Silence: *Disclosing Medical Errors*

Welcome to ***Breaking the Silence: Disclosing Medical Errors***. This module is eleventh in a series of fourteen modules developed by Institute for Healthcare Communication with support from Bayer Animal Health. The Bayer Communication Project was developed in response to the recognition among veterinarian practitioners, academicians, and students of a need for educational materials and training addressing communication skill training among veterinarians and clients.

The Institute for Healthcare Communication

Established as a non-profit corporation in 1992, The Institute for Healthcare Communication grew out of the Bayer Program for Clinician-Patient Communication, which began in 1987 under the auspices of the Bayer Council on Clinician-Patient Communication.

The **Mission** of the Institute is to advance the quality of healthcare by optimizing the experience and process of healthcare communication. This is accomplished by:

- Creating and disseminating innovative educational programs and services
- Advocating for the importance of communication as an essential aspect of healthcare
- Engaging in collaborative research on communication in healthcare
- Partnering with other leading organizations that share our vision

Introduction to the module

There has been increasing public awareness of patient safety in healthcare and attention on a disturbing rise in medical errors. Further, research on the relationship between communication and malpractice risk has shown that the majority of malpractice litigation in human medicine is related to poor communication between the patient and the physician. In addition, the importance of having open and frank discussions when medical errors occur in healthcare has been highlighted by several professional organizations and institutions and published in the scientific and news media.

In human medicine, there have been numerous changes that have taken place to address the complex problem related to the rise in medical errors and patient safety through accreditation standards, state legislation and professional expectations. One notable change has included hospital requirements implemented in 2002 requiring that healthcare providers have open discussions with patients or their representatives whenever outcomes differ significantly from the anticipated. Many organizations and states have come forward to encourage forthrightness when there has been a disappointing outcome due to medical error. These requirements have fueled the call for specific training for healthcare providers in meeting the challenge of

engaging in such honest yet difficult conversations. While many healthcare providers are adept at sharing bad news with their patients in a sensitive and empathic manner, when the bad news is an adverse outcome due to a medical error it requires additional tools, insight and practice.

In veterinary medicine, it is also evident that veterinarians and healthcare staff must possess the necessary skills and understanding to communicate effectively when clients and families are disappointed with the outcome of care. In order to address this constructively, clinicians must understand what caused the disappointing outcome, how the client and family feel and think about it and then respond in a timely and empathic manner. When the adverse outcome is the result of medical error, it requires a particularly thoughtful response on the part of the veterinarian, staff, and practice.

The Challenge

In addition to their sensitivity to the client and family's experience of disappointment when there have been adverse outcomes in care, clinicians and healthcare organizations are deeply fearful of formal complaints and potential malpractice suits. As a result, simply telling clinicians that they "ought" to disclose an unanticipated outcome or error is ineffective. Recognizing this, *Breaking the Silence: Disclosing Medical Errors*, was developed to enable veterinarians to identify, appreciate and practice using a model and techniques that are essential in responding to clients constructively when there has been an adverse outcome due to error.

The Module

This module will address important components of the communication process using brief presentation, video examples, small group exercise and discussion to identify and practice the most effective ways of responding both empathically and non-defensively. Learners will have the opportunity to better understand the ethical and risk management aspects of disclosure along with practicing the communication skills needed with clients and families.

Module Learning Objectives

As a result of this module, learners will:

1. Describe a rationale for openness with clients following harm caused by error.
2. Recognize and identify steps to take to respond ethically and constructively with clients.
3. Demonstrate use of two specific communication techniques to rebuild trust with clients.

Module Format and Resources

This presentation today at VSPA is an abbreviated version of the 2.5 hour module format. If presented in the professional practice setting, it is highly suggested that you consult with your specific practice policies and malpractice insurance guidance so you are clear on the ethical and legal expectations in your practice setting.

Exercise 1
A Tale of disclosure?

Response Sheet

Discuss in your small group and be prepared to share with large group:

VETERINARIAN LENS:

Describe what you think are the thoughts, worries, and motivations driving the veterinarian's behavior.

CLIENT LENS:

Describe what you think are the thoughts and worries of the client.

BOTH:

What are the emotional, ethical, practical, and legal implications?

Exercise 2
A Tale of 2 disclosures: Scene 2

Response Sheet

Note down your observations specific to how the veterinarian addressed each of the following:

What I liked:	What I would do differently:

Exercise 3
Developing Veterinary Team Agreement and Clarity

Discuss the following in your small group:

What emotions, concerns and values arose in this team discussion?

In what direction are these emotions, concerns and values pushing them related to the client discussion?

Exercise 4
An Unforgettable Error: Scene 1

Write down your initial impressions:

Overall impact of this discussion on the clients:

Overall impact on the veterinarian and healthcare team:

Exercise 5: An Unforgettable Error: Scene 2

TEAM MODEL AND TECHNIQUES	While watching scene two , write down your thoughts about:	
	What I liked:	What I would do differently:
Truthful		
Acknowledge error		
Explain using understandable terms		
Expresses empathy		
Apology		
Responds to clients' emotions		
Arranges plan for ongoing communication		

Expected impact on the client:

Expected impact on the veterinarian team:
