

# Agenda

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 [mplassociation-events.org/claims-risk-patientsafety/agenda/](http://mplassociation-events.org/claims-risk-patientsafety/agenda/)

Wednesday, September 11, 2019

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**3:00–  
3:15  
p.m.**      **Welcome and Introductory Remarks**

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**3:15-  
4:30  
p.m.**      **General Session**  
**Burnout Proof—Reduce Risk, Lower Stress & Prevent Burnout**  
*Dike Drummond, MD, CEO and Founder, TheHappyMD.com*

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**3:15-  
4:30  
p.m.**      This interactive, high-energy presentation will offer insight into burnout, its effect on medical liability risk, quality of care, and physician turnover. The speaker will describe the signs and symptoms of burnout and teach strategies to lower stress and build a more balanced life based on his one-on-one physician coaching.

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**4:30-  
4:45  
p.m**      **Refreshment Break**

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**4:45-  
5:30  
p.m.**      **General Session**  
**Burnout Proof—Reduce Risk, Lower Stress & Prevent Burnout: A Discussion with MPL Leaders**  
*Dike Drummond, MD, CEO and Founder, TheHappyMD.com*  
*Jeffrey Stoner, JD, Senior Vice President, Claims & Risk Management, Cooperative of American Physicians*  
*Kelli Westcott, MD, Board of Directors, The Mutual RRG, Inc*

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**4:45-  
5:30  
p.m.**      This engaging, interview-style session will tap into the expertise of a physician and a vice president of claims and risk management for their perspectives on the strategies proposed by our keynote speaker. The panelists will share their views on the level of burnout assessed within their own insured community and the potential impact on MPL insurers.

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**5:30-  
6:30  
p.m.**      **Reception**

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Thursday, September 12, 2019

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**8:15–** **Breakfast**  
**9:00**  
**a.m.**

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**9:00–** **General Session**

**10:15** **CANDOR: Today’s Challenges and Tomorrow’s Solutions**

**a.m.** Panel:

*Cheryl M. DeKleine, Esq., Senior Director, Claims Management & Litigation Counsel, Ascension*

*Thomas H. Gallagher, MD, Professor and Associate Chair, Department of Medicine, Professor, Department of Bioethics and Humanities, University of Washington, UW Medicine Center for Scholarship in Patient Care Quality and Safety, Division of Internal Medicine*

*Timothy McDonald, MD, JD, President, Center for Open and Honest Communication, Medstar Institute for Quality and Safety, Professor of Law, Loyola University*

*Michael J. Severyn, Esq., Regional Vice President of Claims, ProAssurance Corporation*

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**9:00–** Communication and Optimal Resolution (CANDOR) gained national attention following its  
**10:15** release in 2016 by the Agency for Healthcare Research and Quality. Its principled and holistic  
**a.m.** approach to respond to patient harm in healthcare is used by many to round out what is commonly known as a communication and resolution program (CRP). Join the discussion with our panel of experts to learn what has evolved since its release by its master architect, Tim McDonald. Also, hear from Tom Gallagher, who will share his experience as well as what is on the horizon in terms of certification, validation, and national metrics. Panelists will share their experiences with operationalizing this comprehensive and systematic method in their journeys to make this approach a reality in healthcare.

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**10:15–** **Refreshment Break**

**10:30**

**a.m.**

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**10:30–** **Concurrent Session I**

**11:45** Claims

**a.m.** **What Got You Here Won’t Get You There!**

*Gina H. Harris, Regional Vice President – Claims, ProAssurance Corporation*

*Jeffrey Stoner, JD, Senior Vice President, Claims & Risk Management, Cooperative of American Physicians, Inc.*

Risk Management

**Looking Inside and Out: Better Manage Mental Health to Reduce Violence in Healthcare**

*Laurel Grisbach, RN, BSN, FASHRM, Director Risk Management & Patient Safety, BETA Healthcare Group*

*Scott Zeller, MD, Vice President, Acute Psychiatric Medicine, Vituity; Assistant Clinical Professor of Psychiatry, University of California – Riverside*

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**10:30– What Got You Here Won't Get You There!**

**11:45 a.m.** Explore and discuss the changing legal environment and other factors contributing to an alarming increase in both larger verdicts and total allocated loss adjustment expenses (ALAE) spend. Panelists will consider issues within the MPL insurance industry as well as external factors entirely outside the industry's sphere of influence. In addition, hear about tactics and strategies that, while they may have worked 10, or even 5, years ago might not be successful today, anticipate how old friends might be new enemies, and appreciate that factors outside of a claims department control may now have a greater impact on certain results.

**Looking Inside and Out: Better Manage Mental Health to Reduce Violence in Healthcare**

Dr. Scott Zeller, known for his work in the behavioral health setting and beyond will outline the various aspects of managing the mental health patient. Next, Laurel Grisbach will share tools and best practices that provide for appropriate screening, management, and treatment of the behavioral health patient developed by a team of experts, including Dr. Zeller, which can be directly applied in various business segments and in particular, the emergency department. Learn how insurers can assist clinicians to identify and refine internal work processes to mitigate the incidence of violent acts and ensure that all safeguards are in place to address this high risk population.

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**11:45 Networking Luncheon/Topical Lunch**

**a.m.** Choose a topic! Choose a table! Enjoy your lunch, while participating in a lively discussion with your peers about a variety of topics on claims, patient safety, and risk. Each table will select a topic leader to facilitate the discussion.  
**-1:00 p.m.**

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**1:00- Concurrent Session II**

**2:15** Claims

**p.m. Avoiding the Wheel of Misfortune: Emerging Trends in Claims**

*Nolan C. Burkhouse, Esq., Director, Paul Frank + Collins, PC*

*David P. Kreppein, Esq., Assistant Vice President, Claims, TransRe*

*Jack M. Stein, President, Trial Exhibits, Inc.*

Risk Management

**Emerging MPL Risk Areas: Perspectives from Risk/Patient Safety Experts**

*Dylan Carney, MD, MPH, Program Director, Medication Assisted Treatment, Vituity*

*John C. Evanko, MD, Chief Medical Officer, Senior Vice President for Patient Safety and loss Prevention, MCIC Vermont*

*Klaus Kjaer, MD, Chief Quality and Patient Safety Officer, Weill Cornell Physician Organization*

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**1:00-2:15 p.m. Avoiding the Wheel of Misfortune: Emerging Trends in Claims**

Join panelists as they lead the audience through a discussion of today's emerging issues in medical professional liability and healthcare liability claims against physicians. Topics will include the increased number of large verdicts in medical liability cases across the country and what we've learned so far, including why these verdicts are being rendered and suggestions for how to avoid them. What are the trends and tips for claims professionals concerning staying out of coverage and bad faith traps? Panelists also will explain how these issues affect the medical and claims community and offer their ideas for reducing potential exposure.

**Emerging MPL Risk Areas: Perspectives from Risk/Patient Safety Experts**

In this fast-paced, interactive presentation, expert panelists will lead the audience in a discussion of current hot topics that are emerging in medical professional liability claims and patient safety. Presenters will highlight best practices for identifying and reducing spinal surgery risk, missed and/or delayed communication of diagnostic test results, and address medication assisted treatment for opioid use. The panelists will explain how these trends affect the physician practice and offer suggestions for reducing potential exposure.

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**2:15-2:30 p.m. Refreshment Break**

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**2:30-3:45 p.m. General Session**

**The Plaintiffs Call Their First Witness: Everybody's Cell Phone**

*Michael S. Victoroff, MD, Department of Family Medicine, University of Colorado School of Medicine; Risk Management Consultant, COPIC*

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**2:30-3:45 p.m.** Ninety-two percent of American adults have cell phones, and most use them to capture audio, video, and photographs. Twenty-six percent of patients admit recording physicians without their knowledge. Today, information available for analysis of a medical event might include audio, video, and physiologic monitoring data captured by providers, patients, or third parties; photos, recordings, and geolocation data from cell phones; internet search histories and social media; voice, text, email, and telemedicine transactions; surveillance data obtainable from literally millions of sources; and associated metadata.

The diminishing relevance and accuracy quotients of EHRs has inspired increasing use of multimedia sources when investigating medical outcomes. This presentation considers the roles played by photography and other recordings in healthcare. It reviews legal guidelines and scenarios to consider in developing recording and data retention policies, including privacy statutes, wiretapping, social media, commercial use, reputation management, research, publication, formal and implied consent, notices, enforcement, and related issues. Looming over all is the discoverability of this data in legal contexts.

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Friday, September 13, 2019

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**7:45-8:30 a.m. Breakfast**

**8:30–**      **General Session**

**10:00**      **Is it the Archer or the Arrow? EHR Usability Impacts on Errors, Liability, Workflow,**  
**a.m.**            **and Even Burnout**

*Raj Ratwani, PhD, Director, National Center for Human Factors in Healthcare, MedStar Institute for Innovation, Medstar Health Research Institute*

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**8:30–**      Raj Ratwani, a national expert, speaker, and author on EHR usability from a human factor's perspective will review the data and the implications for claims, risk, and patient safety professionals. The usability of electronic health records continues to be a point of dissatisfaction for providers, despite certification requirements from the Office of the National Coordinator that require EHR vendors to employ a user-centered design (UCD) process. Dr. Ratwani will discuss the implications of this data on patients and healthcare professionals and will provide novel insights for how to improve usability practices of EHR vendors.

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**10:00–**      **Refreshment Break**

**10:15**  
**a.m.**

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**10:15–**      **General Session**

**11:30**      **When It's Not About the Medicine—How to Defend Against “The Hook”**

**a.m.**            *Ellen Epstein Cohen, Esq., Partner, Adler, Cohen, Harvey, Wakeman & Guekguezian, LLP*  
*Kevin J. Kuhn, JD, Partner, Wheeler Trigg O'Donnell LLP*

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**10:15–**      What issues arise in the defense of medical liability cases that can make or break the defense—the “hooks” that plaintiff attorneys use to try to persuade a jury to find for the plaintiff without regard for the details of the medical care provided. Panelists will discuss various hooks that defense counsel may encounter as well as strategies for anticipating, minimizing, and defending against these challenging issues.

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**11:30**      **Adjourn**

**a.m.**