


2 - Claims and Risk Management/Patient Safety Workshop

 mplassociation-events.org/claims-risk-patientsafety/agenda-2

Wednesday, September 20, 2023

**1:00-5:00
p.m.** **Registration Opens**

**2:00-2:15
p.m.** **Welcome and Introductory Remarks**
Julie Ritzman, MBA, CPHRM, VP, Patient Safety and Risk Management, The Doctors Company;
Chair, Risk Management/Patient Safety Section
Stephanie A. Sheps, Esq., VP Claims, Coverys; Chair, Claims Section

**2:15-3:30
p.m.** **General Session/Keynote**
How to Lead and Succeed in the Multigenerational Workplace
Candace Steele Flippin, DM, President, Dr. Candace Steele Flippin, LLC

Historical events shape the values of each generation, which can lead to different communication styles, work preferences, and expectations. Leaders can create a more inclusive and productive work environment by understanding the different characteristics and values of each generation. This session will explore the challenges and opportunities arising from generational differences in the workplace by offering insights and strategies for leaders to create a productive work environment. Attendees will participate in several exercises to apply and/or reinforce what they have learned to create a more productive workplace that leverages the strengths of a diverse, multigenerational workforce.

**3:30-3:45
p.m.** **Refreshment Break**

**3:45-5:00
p.m.** **General Session**
Getting Into the Mind of a Juror: Insights from a Jury Consultant
Jill Huntley Taylor, PhD, President, Taylor Trial Consulting

The pandemic has presented new challenges both in jury selection and witness evaluation and preparation. In this session, we will delve into the changes in attitudes and perceptions of jurors following the pandemic and highlight techniques for effective trial preparation in the current landscape.

5:00-6:30 **Networking Reception**
p.m.

Thursday, September 21, 2023

8:15-9:00 **Networking Breakfast**
a.m.

9:00-10:15 **General Session**
a.m. **Top Specialties, Top Solutions**
Michael LeTang, MS, RN-BC, CCRN- K, Chief Nurse Informatics Officer, VP, Risk Management, Healthcare Risk Advisors
Julie Ritzman, CPHRM, VP, Patient Safety and Risk Management, The Doctors Company
Dan Wright, RN, JD, Vice President, Patient Safety and Risk Management, The Doctors Company

Dive into the trends in claims from high-risk medical fields over the past decade, leveraging real-world examples that show how risk management can make a difference. Speakers will discuss how providers can use existing electronic health records (EHRs) to identify high-risk activity. In addition, applicable recommendations will be provided to track and trend improvements over time.

10:15-10:30 **Refreshment Break**
a.m.

10:30-11:30 **Concurrent Session I**
a.m. **Claims**

Litigation Funding Update
Kimberly Mogck, Partner, BBC Law, LLP

Third party litigation finance continues to grow and is now a billion-dollar industry. What does this trend mean for medical professional liability insurers and those who manage claims? Is third-party litigation funding contributing to social inflation due to the high fees and interest charged by funders which may hamper defense attorneys' ability to resolve cases? This session will provide the latest information on litigation finance and answer your key questions about its impact on MPL claims. Attendees will hear about the regulatory landscape for third-party litigation funding, which is largely unregulated in most states, in addition to the lack of transparency related to this practice. Attendees will leave this session with an appreciation for the future trends in litigation funding as it continues to become more widespread.

10:30-11:30
a.m. **Concurrent Session I**
Risk Management

**Small Practices, Mighty Threats—Mitigating and Covering Current
Cyber Risk Facing Independent Medical Practices**

Justin Joy, JD, Shareholder, Lewis Thomason, PC

10:30-11:30
a.m. . While trends in cyber attacks remain dynamic, one thing remains constant: Small medical practices are frequently in the crosshairs of hackers. Independent practices often have no more than a fraction of the cybersecurity resources and budgets of their consolidated or hospital-aligned competitors. However, not only do smaller practices remain on similar footing as larger organizations from a risk perspective but, legally, the expectations regarding their obligations to combat cyber risks are essentially equal to bigger entities. This session will explore the current cyber risk landscape facing medical practices, mitigation strategies, especially those geared toward smaller groups, and recent developments with cyber insurance coverage.

11:30
a.m.-1:00
p.m. **Networking Lunch**

1:00-2:00
p.m.

Concurrent Session II
Claims

Claims Hot Topics Roundtable

Moderator: Dena Mastrogiovanni, JD, Vice President Litigation Management, AMS

Management Group

Panel: Melissa A. Dziak, Shareholder, Marshall Dennehey

David P. Kreppin, JD, SVP of Claims, Peak Re

Diego J. Rojas, JD, Vice President Claims, Constellation Mutual

This fast-paced, interactive presentation will feature a facilitated discussion of current and emerging hot topics for medical professional liability claims. Potential topics include social inflation, runaway verdicts, demographic shifts changing courtroom dynamics, the growing movement for alternative dispute resolution, public and juror mistrust of medical science or horn effect, succession planning, as well as other recent developments. The panelists and the audience will explore how these trends are affecting MPL insurers and their insureds and offer suggestions for reducing potential exposure.

1:00-2:00
p.m. .

Concurrent Session II
Risk Management

Chief Medical Officer Roundtable

Moderator: Eric Zacharias MD, Director of Medical Education, COPIC

Panel: Diane Light, DO, FACOS, Chief Medical Officer, Healthcare Services Group

Susan A. Sgambati, MD, Medical Director, Patient Safety/Risk Management, COPIC

Michael Wright, MSc, PhD, Chief Medical Officer, Avant Mutual

This session will feature chief medical officers and other leadership from MPL Companies to discuss current and future trends in key areas. The discussion will pivot on three major themes: 1) Concerns and perceived risk of providers and facilities; 2) Recurrent major risk for lawsuits and how to reduce them; and 3) Enhancing patient safety and provider wellness.

2:00-2:15
p.m.

Refreshment Break

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General Session

Impact of Today's Audiovisual Technology on Patient Care and Claims

Courtney Allen, JD, Senior Claims Specialist, ProAssurance Companies

Michael Hamilton, Esq., Partner, Weber Gallagher

Stephen Shows, JD, Legal Counsel/Risk Management, Children's of Alabama

Video and audio recording technology are everywhere and have greatly impacted many industries, including healthcare. This session will examine the effects that audiovisual technology such as body cameras, operating room cameras, and other technological advances have had on both patient care and medical professional liability claims. Attendees will hear from experts and explore the different use cases where audiovisual technology intersects with patients, healthcare professionals, and the delivery of care. They will examine the types and prevalence of claims arising from audiovisual technology and how they can be mitigated.

Friday, September 22, 2023

8:00-8:45 a.m. **Networking Breakfast**

8:45-10:00 a.m. **General Session**
CANDOR: Examining Early Resolution Programs
Jean Martin, MD, JD, Deputy General Counsel, COPIC
Doug Mason, Director of Claims, COPIC
Steve Michalek, JD, Managing Member, Childs McCune, LLC
Mike Stinson, JM, Vice President, Public Policy & Legal Affairs, MPL Association

As the battle to enact or maintain tort reforms becomes increasingly challenging, many have begun to look for other avenues to reduce MPL litigation and more rapidly address adverse medical outcomes. One such approach is the Communication and Optimal Resolution (CANDOR) programs, which have been adopted by several hospitals and health systems and which are gaining the interest of public officials around the country. These programs, whether implemented as public policy or put in place by private institutions, encourage prompt disclosure of adverse medical outcomes, ongoing communication with patients and families, and support for the caregivers following a suboptimal medical event. The panel will discuss how these programs came to be, how they work, and what are their implications for MPL insurers.

10:00-10:15 **Refreshment Break**
a.m.

10:15-11:30 **General Session**
a.m. **Clinical Practice Guidelines in MPL Litigation**
Richard E. Moses DO, JD

This session will review the development of Clinical Practice Guidelines (CPGs) in medical practice litigation. Using real world evidence, the relevance and evolving use of CPGs by the plaintiff and defense will be covered. The discussion will include the "then versus now" related to how clinical practice guidelines affect care as well as liability.

11:30 a.m. **Adjourn**