

July 27, 2018

Illinois Appellate Court Upholds Confidentiality for Patient Safety Organization Info

Here's some good news on the legal front.

Late last month, the Illinois Appellate Court issued a positive ruling in a case that could have undermined the privileged nature of patient safety work product that is reported to Patient Safety Organizations (PSOs).

Under the Patient Safety and Quality Improvement Act (PSQIA), the federal government established PSOs that can review data created for the purpose of reporting to PSOs. Under federal law, *this information is privileged from discovery in litigation*. The 2005 law established a voluntary reporting system designed to improve patient safety and health care quality issues.

Read the decision at www.ismie.com/ruling.

Next step: the plaintiff in the case now has the opportunity to appeal. Watch *ISMIE News Briefs* for further updates.



Planning Fall Training for You and Your Team? Check These Upcoming ISMIE Risk Management Events

It's going to be a busy second half at ISMIE – visit www.ismiemutual.com to register for the following live events:

Sept. 14, 2018 | 9 a.m. – 2 p.m. | Seminar | Lisle
Communications for Staff: The Keys to Building Trust and Improving the Patient Experience

Oct. 10, 2018 | 9 a.m. – Noon | Seminar | Springfield
Beyond the Basics: Advanced Communications for Physicians and Other Clinicians

Oct. 17, 2018 | 9 a.m. – Noon | Seminar | Hoffman Estates
Informed Consent: Getting on the Same Page with Your Patients

Nov. 2, 2018 | 8:30 a.m. – 3:45 p.m. | ISMIE Symposium | Oak Brook

Thriving in Change: ISMIE's Risk Management Symposium

Nov. 7, 2018 | 9 a.m. – 2 p.m. | Seminar | Schaumburg
Communications for Staff: The Keys to Building Trust and Improving the Patient Experience

Nov. 27, 2018 | 9 a.m. – Noon | Seminar | Naperville
Beyond the Basics: Advanced Communications for Physicians and Other Clinicians

Nov. 30, 2018 | 9 a.m. – Noon | Seminar | Rosemont
Stress Management and Burnout Prevention for Health Care Professionals

Preparing for the Worst Means Learning with the Best – Make Time to Review ISMIE's 'Disclosing Unanticipated Outcomes' Risk Management Resource

Despite the skills and best efforts of dedicated medical professionals, unanticipated outcomes happen. It's best to plan your approach to such events, even if you never have to deal with one.

Start with **Disclosing Unanticipated Outcomes**, one of the most popular entries in ISMIE's risk management resource library – find it at www.ismie.com/outcomes. This resource provides important considerations to keep in mind regarding patient interaction if health care goes wrong.

ISMIE helps policyholders limit risk. For a review of all our risk management activities, visit www.ismiemutual.com – and if you have any questions about any practice risk issue, call 800-782-4767 or email riskmanagement@ismie.com.



They're At It Again...

Tales of
bizarre
lawsuits,
attorney hijinks
and other courtroom mischief.



Hold the Lawsuit

McDonald's has filed a motion to dismiss a proposed class action lawsuit from two South Florida customers arguing that a Quarter Pounder with Cheese ordered without cheese should be cheaper than a Quarter Pounder with Cheese.

Got that?

Plaintiffs argued in May that the fast food giant's unwillingness to adjust the price for serving said sandwich without cheese amounts to "unjust enrichment" to the tune of 30-90 cents every time a customer says forget the fromage.

We forgot to mention one thing - the sandwich has been on the menu board for decades and literally has the word "cheese" in it.

In its motion to dismiss, McDonald's argued price shouldn't enter the picture, as "... the customer is customizing a standard menu item to meet a personal preference, in the same way a customer may omit pickles or onions."

Uh oh, McDonald's. We hear pickle and onion haters stirring from their lunch comas, digging for spare change.

Get Ready for August – It's National Immunization Awareness Month

If the back-to-school rush hasn't begun at your practice, get ready. Here are three helpful websites that can help you promote the importance of immunization to parents at the start of the new school year:

- Centers for Disease Control: www.ismie.com/cdc
- National Public Health Information Coalition: www.ismie.com/niam
- Illinois Department of Public Health: www.ismie.com/idph



Join Us in Oak Brook Nov. 2 for 'Thriving in Change' – The 2018 ISMIE Risk Management Symposium

One day, seven experts and a great way to re-energize your efforts in patient safety – that's the **ISMIE Risk Management Symposium**, a national event focusing on emerging issues in health care risk management.

From 8:30 a.m. to 3:45 p.m. November 2 at the Hilton Chicago/Oak Brook Hills Resort and Conference Center, patient safety topics will include telemedicine, genetic testing, precision medicine, polypharmacy, diagnostic accuracy, and burnout and resilience.

To register, go to www.ismierms.com.

The event is free to all ISMIE-insured physicians and clinicians,

as well as ISMIE Business Associates – producers or reinsurers who partner with ISMIE.

A \$99 early-bird rate (\$199 after October 1) is available to employed staff of ISMIE policyholders. Early registration for all other physicians, clinicians, practice administrators and risk managers is \$399 (\$499 after October 1).

A limited number of rooms are available at the Hilton Chicago/Oak Brook Hills Resort and Conference Center for a conference rate starting at \$119 through October 12.

To book a room, go to www.ismie.com/book.