

Professional Liability and Patient Safety at
Marshall University
Joan C. Edwards School of Medicine
University Physicians & Surgeons, Inc.

Here at the Joan C. Edwards School of Medicine and University Physicians and Surgeons, Inc. (SOM/UP&S), we are committed to excellence in medical care and patient safety. We are constantly searching for new ways to prevent medical errors, adverse outcomes, and injuries. When a mishap occurs, we are committed to confronting its cause in a blame-free way and learning from it so that it does not recur.

We are self-insured for a portion of our professional liability and are responsible for any defense costs incurred in a medical malpractice defense. Excess claims are covered by the West Virginia Board of Risk and Insurance Management (BRIM). The Office of Compliance and Risk Management oversee all claims against our medical staff.

We have excellent faculty and staff who provide the most advanced medical care to a very high risk population referred from a large region of southern West Virginia, eastern Kentucky, and southeast Ohio. We face the reality that complications and adverse outcomes can happen despite our best efforts.

We care deeply about our patients, and we take it very seriously when one of them is injured or is unhappy about the care we have provided. We also care deeply about our staff, and we want to support and protect them so they continue their work.

So, when a patient complains or a staff person realizes that a mishap has occurred here is what should happen:

All complaints are initially triaged by the Office of Compliance and Risk Management. Relevant information is collected by review of the medical records and interviews with the appropriate providers. We may engage internal or external medical experts. We meet together to review all relevant information. We analyze risk and value, peer review and outline steps for future quality improvement. We meet with the patient with or without their legal counsel. We communicate openly and directly with the patient and family in the aftermath of an adverse medical outcome. If our investigation convinces us that care was appropriate, we still meet with the family and explain our

findings. If we conclude that care was unreasonable, we say so and apologize. If our care causes an injury, we work with the patient and his/her counsel to reach a mutual agreement and resolution. If this means a financial settlement we compensate quickly and fairly. If a patient persists in a legal suit over care that we feel is medically appropriate, we vigorously defend our staff with the finest legal team we can assemble. Regardless of the results, we try to learn from the experience, educate our staff, and make changes when appropriate.

