



COURSE DESCRIPTIONS

Risk Management/ED & Law

Liability Concerns & Controversies Working with Non-physician Providers

10/25/2021 | 8:30:00 AM - 8:50:00 AM

Faculty: Kurtis A. Mayz, JD, MD, MBA, FACEP

Non-physician provider supervision and incurred liability is a frequent concern expressed by ACEP physicians. An physician-attorney and non-physician provider will co-present with an experienced non-physician provider to address: NPP training, supervising physician liability, and independent practice.

- Discuss liability risks associated when working with NPPs, including case examples of when a physician was and was not named in a lawsuit.
- Understand requirements and standards for supervision of NPPs, and understand training/qualifications of PAs and NPs.
- Discuss/debate pros and cons of independent practice of NPPs and variations in state laws.

Risk Management/ED & Law

National Practitioner Data Bank: Opening Pandora's Box

10/25/2021 | 8:30:00 AM - 8:50:00 AM

Faculty: Diana Nordlund, DO, JD, FACEP

Events reported to the NPDB affect all future licensing and credentialing. What events are reported? Is your report accurate or can it be corrected? What actions can be taken to avoid reporting or craft mutually agreed upon the language to mitigate future professional damage?

- Identify events.
- Review report and correct/amend.
- Use of counsel to craft language



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Little People, Big Lawsuits

10/25/2021 | 2:00:00 PM - 2:20:00 PM

Faculty: Kurtis A. Mayz, JD, MD, MBA, FACEP

18 years...kid has got you for 18 years! The pediatric-emergency medicine physician attorney speaker will identify high risk areas of medical malpractice unique to pediatric patients, discuss liability linked to use of consultants, and address duty to warn differences specific to our pediatric patient population.

- Discuss high risk areas of malpractice in pediatrics.
- Identify legal concepts unique to pediatric patients, including liability involving consultants.
- Introduce the legal concepts of duty to warn in prescribing, and foreseeability in pediatrics.

Risk Management/ED & Law

Black Box Drugs We Use: What's the Risk?

10/25/2021 | 4:00:00 PM - 4:20:00 PM

Faculty: Kyle Weant, PharmD, BCPS, FCCP

The black box drug list seems to be growing yet we are constantly faced with drug shortages limiting our choices when caring for patients in the ED. Many of us have used these drugs extensively in the past & feel quite comfortable with continuing this use on our patients. What is our risk when we do this? Is it a reasonable risk? The speaker will summarize black box warnings on drugs frequently used in the ED, assess the risk of this continued use, justify appropriate use in specific patients, & identify critical documentation needed when choosing to use these drugs.

- Summarize black box warnings on drugs frequently used when caring for patients in the ED.
- Assess the risk of continued use of these drugs despite these warnings.
- Justify appropriate continued use of black box drugs in the context of specific patients presented through a case-based approach.



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Top 5 Legal Risks in Five Minutes or Less

10/26/2021 | 8:30:00 AM - 8:50:00 AM

Faculty: Kurtis A. Mayz, JD, MD, MBA, FACEP

Emergency medicine is a high risk specialty. Recognizing these five predictable sources of medical malpractice claims and lawsuits in addition to cultivating practice and documentation strategies reduces the risk of becoming a defendant!

- Briefly discuss risk to the EDP associated with AMA, informed consent, end-of-shift handoff, consultation, and discharge instructions via a case or documentation based example.
- Give example of actions, strategies, or documentation pearls that decrease the EDP's legal risk in each of these examples.

Risk Management/ED & Law

GOTCHA! The Medical Chart: Anticipating the Lawyer's Review

10/26/2021 | 12:30:00 PM - 1:20:00 PM

Faculty: Diana Nordlund, DO, JD, FACEP

During this interactive course, the speaker will review emergency medicine charts & discuss how wording factors into lawsuits. You will learn how specific charting can help avoid getting sued and/or win the case if there is litigation.

- Review emergency physicians' notes that were crucial factors in malpractice litigation.
- Discuss how wording & documentation help or hurt in malpractice cases.
- Demonstrate how to write, dictate, or click a well-documented note to avoid getting sued.



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Practice to Penitentiary: Criminal Liability in EM Practice

10/26/2021 | 1:30:00 PM - 2:20:00 PM

Faculty: Jennifer Stankus, MD, JD

Providers are coming under increasing threats of criminal reproductions for their actions in the care of their patients. A case-based exploration of current issues in criminal liability in opiate prescribing, liability for assault in the care of psychiatric patients, & negligent homicide in the place of medical malpractice.

- Differentiate between criminal & civil litigation.
- Identify cases where physicians have been exposed to criminal legal proceedings regarding opiate prescribing, assault in the care of psychiatric patients, and negligent homicide in the purview of medical malpractice.
- Review ways to avoid criminal complaints via documentation, patient communication, & risk management.

Risk Management/ED & Law

Informed Consent: Sign Here...See You in Court

10/27/2021 | 8:00:00 AM - 8:20:00 AM

Faculty: Rachel A. Lindor, MD, JD

With the continued rise of patient autonomy comes increasing risk to EPs of dual-pronged lawsuits alleging medical malpractice AND lack of informed consent. An MD/JD will use cases to illustrate numerous barriers to the informed consent process in emergency department patients. Who can provide consent? Is a written form required? Is the physician obligated to discuss his/her competence? When isn't informed consent required? How do courts evaluate claims of inadequate informed consent?

- Discuss definition of informed consent and review recent emergency medicine case(s) of informed consent malpractice.
- Review frequently encountered barriers to the informed consent process in emergency department patients.
- Explore for whom and when is informed consent required and the proper means of obtaining and documenting consent.



COURSE DESCRIPTIONS

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Contract Nightmares: Due Process, Indemnification Clauses & Non-Competes

10/27/2021 | 12:30:00 PM - 12:50:00 PM

Faculty: Terry Kowalenko, MD, FACEP

Every major EM organization signed a letter to CMS demanding physician due process rights. Does your current contract force you to waive your due process rights? Did you agree to provide reimbursement to your employer whose negligence may have contributed to your patient's injuries by signing an indemnification clause? Can you work for the across town competitor ED or are you bound by a non-compete clause?

- Discuss due process rights and medical professional organizations' fight to maintain them for their members.
- Define indemnity clauses and their possible negative effects on EM physicians. Suggest alternative or edited contract language.
- Review non-compete clauses and any pertinent case law that may apply to EM physicians.

Risk Management/ED & Law

Crisis Standard of Care: Ethical & Legal Implications of COVID Crisis Care

10/27/2021 | 1:30:00 PM - 2:20:00 PM

Faculty: Catherine Marco, MD, FACEP; Nathan Schlicher, MD, JD

During the COVID pandemic, the commitment of the physician to the individual patient is counterbalanced by the need to protect the welfare of a population of patients. Join a bioethicist and an MD/JD to explore the ethical principles that guide development of the COVID crisis standard of care and resultant legal risk ramifications.

- Discuss obligation to provide care for non-critical patient who refuses to mask.
- Analyze ethical and legal ramifications of visitor policy restrictions for family of those COVID patients who are critically ill.
- Using at least one example, examine the ethical and legal ramifications of resource allocation (could be vents, ICU beds, etc).
- Explore the permissibility of decisions to deny CPR to COVID patients based on concerns regarding transmission of infection to providers and the perceived futility of attempting CPR in some cases.



COURSE DESCRIPTIONS

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Become a Star at Your Deposition: An Insider's Guide

10/28/2021 | 8:00:00 AM - 8:50:00 AM

Faculty: Nathan Schlicher, MD, JD

Experienced emergency physician & attorney will present a medical case for the audience to manage, leading to a charge of malpractice, & a voluntary participant will be deposed. Key pitfalls & pearls of depositions will be demonstrated & discussed.

- Review the deposition process & logistics.
- Present a live a simulated deposition.
- Discuss pearls & pitfalls for physicians being deposed.

Risk Management/ED & Law

High-Risk Cases in EM

10/28/2021 | 11:00:00 AM - 11:50:00 AM

Faculty: Rachel A. Lindor, MD, JD

Emergency medicine is a high risk specialty. Certain clinical entities, however, are predictable sources of bad outcomes & associated medical malpractice claims & lawsuits. The speaker will review common areas associated with risk in EM, reviewing the pitfalls of misdiagnosis & strategies to reduce risk to the patient & the provider. Medical malpractice cases will be utilized to illustrate key concepts.

- Identify high-risk entities in emergency medicine & incorporate strategies to improve patient safety.
- Develop strategies to reduce the likelihood of medical malpractice claims.