

Title:

Identifying and Mitigating Risk in Your Practice

Presenter Name:

Michael D. Massey, DC

Total Hours:

1-6

Course Topic:

Risk Management

Course Description:

Even the most conscientious providers face potential legal risk in today's healthcare environment. Identifying and Mitigating Risk in Your Practice is a comprehensive course designed to help clinicians understand where legal vulnerabilities exist and how to address them proactively.

This 6-hour program examines current malpractice trends, the legal foundations of the doctor-patient relationship, and the key components of a successful malpractice claim. Through real-world examples and actionable strategies, attendees will explore potential sources of risk in everyday practice and walk away with 75 specific mitigation tips. The course also includes a focused session on informed consent, particularly related to cervical manipulation and vertebral artery dissection (VAD), with evidence-based insights into minimizing risk and increasing patient confidence.

Course objectives:

- **Identify common risk factors and trends** contributing to malpractice claims, including those related to patient communication, documentation, and clinical decision-making.
- **Understand the legal concepts of duty, breach, causation, and damages**, and how these are applied in malpractice litigation.
- **Implement practical risk mitigation strategies**—including informed consent protocols and documentation practices—to reduce exposure and enhance patient safety.

Hour-by-hour outline:

Hour 1: Contemporary Trends in Malpractice Litigation

- Review of statistics and data
- Common drivers of malpractice legal action

Hour 2: The Doctor-Patient Relationship and Standard of Care

- An overview of legal definitions and examples

Hour 3: The "4 D's" of a Successful Malpractice Action

- Duty
- Dereliction of Duty
- Direct Causation
- Damages

Hour 4-5: Risk

- Definition
- Potential sources
- 75 Risk Mitigation Tips

Hour 6: Informed Consent/Vertebral Artery Dissection (VAD)

- Consent defined and demonstrated
- Necessary components of informed consent
- Rules, forms, and other considerations
- Cervical Artery Dissection: causation myths vs evidence
- Limiting risk and exposure for vascular sequelae