

The Power of **APOLOGY** in Health Care

Ausmed invites all health care professionals to register for this important, multidisciplinary symposium



Dates: Thursday, 6th September and
Friday, 7th September 2007

Venue: Hotel Ibis, Therry Street,
Melbourne, Australia.

ATTENTION NURSES

Attendance at this symposium earns 10 Continuing Nursing Education (CNE) points as part of the Royal College of Nursing, Australia, Lifelong Learning Program.



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THE POWER OF APOLOGY IN HEALTH CARE

DAY ONE: THURSDAY

September 6, 2007 Melbourne



8.00am REGISTRATION AND REFRESHMENTS

9.00am THE POWER OF APOLOGY IN HEALTH CARE

Just as there are limits to what can be achieved by medicine, there are occasions when errors occur.

- Why do health professionals appear reluctant to apologise when an error occurs?
- What are the consequences of this?
- Should we promote a culture of expressed regret?
- Why is apology such a powerful tool?

Speaker: Beth Wilson

Beth has been Victoria's Health Services Commissioner since 1997. She is a lawyer by training, and has worked mainly in administrative law. Beth has had a long standing interest in medico/legal and ethical issues. The Health Services Commissioner receives and resolves complaints about health service providers with a view to improving the quality of health services for everybody. Prior to becoming Health Services Commissioner, Beth was the President of the Mental Health Review Board, a Senior Legal Member of the Social Security Appeals Board and the WorkCare Appeals Board.

9.50am THE MORALITY OF NOT APOLOGISING

An examination of the moral dilemma faced by health professionals who refuse to, or are compelled not to, apologise when things go wrong.

- What are the features of a genuine apology?
- Are there any circumstances where it is morally appropriate to not apologise when you have erred?

Speaker: Associate Professor Justin Oakley

Director, Centre for Human Bioethics and Deputy Head, School of Philosophy and Bioethics at Monash University. Justin was co-recipient, of the 2004 Eureka Prize for Research in Ethics, for research on the ethics of disclosing to patients performance data about individual surgeons. As well, Justin has published articles in international journals on the ethics of clinical trials, informed consent, surrogate motherhood, surgeon report cards, family caregiving, whistle-blowing, and topics in ethical theory.

10.30am MORNING TEA AND COFFEE



11.00am EXTREME HONESTY IN THE DISCLOSURE OF MEDICAL ERRORS

- What does this mean?
- What are the financial implications of extreme honesty for health providers?
- Issues of disclosure and the overseas experience in Britain and USA.

Speaker: Dr Steven Bolsin

Director, Division of Perioperative Medicine, Anaesthesia and Pain Management, The Geelong Hospital. Dr Bolsin came to Australia from the U.K. five years ago where he was the "whistle-blower" who informed the Department of Health about the high mortality rates for paediatric cardiac surgery at the Bristol Royal Infirmary. This led eventually to a long-running General Medical Council Disciplinary Committee hearing which found two paediatric cardiac surgeons and the hospital's Chief Executive Officer guilty of serious professional misconduct.

12.00pm SAYING SORRY: A VICTORIAN PERSPECTIVE

'Open disclosure: (is) a national standard for open communication in public and private hospitals following an adverse event in health care'

- Does Government have a role in enabling health services to openly disclose adverse events?
- Can such a role assist in the prevention of sentinel events?

Speaker: Deane Wilks

Program Manager, Clinical Risk Management Quality and Safety Branch, Department of Human Services, Victoria. Deane has a background in general and mental health nursing. In addition, he has worked in the area of accreditation, quality and reporting frameworks, as well as risk management and safety at a large tertiary hospital for over 10 years.

12.45pm LUNCH BREAK

1.45pm APOLOGISING ACROSS CULTURES

- What needs to be taken into account when communicating medical errors with those from a different cultural and/or language background?

Speaker: Celia Wigzell

Manager, Cultural Diversity Unit at Western Health in Victoria, where one third of the catchment population are from a non-English speaking country. Her role involves the provision of culturally congruent health care services.

2.20pm APOLOGISING NURSING PERSPECTIVES

Nurses are often on the frontline of clinical decision making whether in hospital or community-based settings.

- What if nurses disagree with the decision of the health care team not to apologise?
- If this decision is disregarded and the nurse makes an apology to a patient, will she/he lose their job?

Speaker: Representative

Australian Nursing Federation



3.00pm AFTERNOON TEA AND COFFEE

3.30pm FEARFUL SILENCE

A reflection on the link between professional accountability and the care of vulnerable older people in residential care.

- Do justified apologies help to heal the wounds of abuse in this context?
- Do apologies undermine the aged care delivery system or do they strengthen the quality of care and what it means to live in a civil society?

Speaker: Dr Rosalie Hudson

Associate Professor, University of Melbourne, and Aged Care Consultant. Rosalie has extensive experience in aged care, including 12 years as the Director of Nursing at Melbourne City Mission aged care facility. Rosalie is well known as an aged care author and teacher, her special area of expertise is end-of-life care.

4.15pm END OF DAY ONE OF SYMPOSIUM



THE POWER OF APOLOGY IN HEALTH CARE

DAY TWO: FRIDAY

September 7, 2007 Melbourne



9.00am

LET'S TALK ABOUT HONESTY

An examination of what it means to be honest when working in the health care system. Clinical anecdotes will focus on the impact of deceit or blatant dishonesty.

- If patients or relatives feel they have not been told the truth, which factors interfere with their ability to obtain honest information?
- How do people feel when a genuine apology is offered following an adverse event where blame is acknowledged?
- Why is saying "sorry" so meaningful?

Speaker: Roger Napthine

Clinical Educator and Project Officer, Barwon Health. Roger has an impressive background in clinical nursing, education and writing. As well, he has qualifications in bioethics. In recent times, Roger was incapacitated by a stroke, an experience which enabled him to gain extra insight into the interface between patient and health care providers.



10.30am

MORNING TEA AND COFFEE

11.00am

MAKING OPEN DISCLOSURE WORK IN A GENERAL PUBLIC HOSPITAL

Apologies need to be sincere and genuinely informative so that the patient values the expression of regret. This session will look at how one hospital uses the model of open disclosure. It will include case studies of how adverse events have been managed using this model.

Speaker: Lyn Robertson AM

Patient Representative, Austin Health where she has worked for 23 years. Her role involves dealing with patient complaints, acting as liaison person between patients, their families and the hospital and also between the hospital and the community to ensure that complaints are satisfactorily resolved. An important part of her role involves helping to improve hospital systems by identifying problem areas and recommending changes. She also acts as patient advocate where difficult clinical situations exist, or for those who are seeking support from a non-clinical person when trying to make a complex decision.

11.45am THE DO'S AND DON'TS OF APOLOGISING: AN INSURANCE PERSPECTIVE

Apologising for an error can be fraught with legal, insurance and professional implications.

- What needs to be taken into account when a health service decides to apologise?
- When an individual health professional decides to apologise, what are the implications?
- What are the usual hospital policies regarding apologies?
- Who should be present when individuals apologise?
- Insurance perspectives about how to approach the patient.

Speaker: Dr Paul Nisselle AM

Senior Advisor, Risk Management, Medical Defence Association of Victoria (MDAV). Dr Nisselle was a General Practitioner in suburban Melbourne for 18 years before commencing work in the medical indemnity industry in 1989. He currently holds two ministerial appointments, one as a member of the Health Services Review Council and the other as Convenor of Medical Panels in Victoria's WorkCover Scheme.

1.00pm

LUNCH BREAK

2.00pm

'DENY AND DEFEND' THE LEGAL DILEMMAS

- What are the legal considerations which surround the issuing of apologies for alleged/perceived or actual errors in health care?
- Why is 'deny and defend' such a common strategy?
- A legal view of what a health professional should do if they need to apologise.
- How should this be documented?

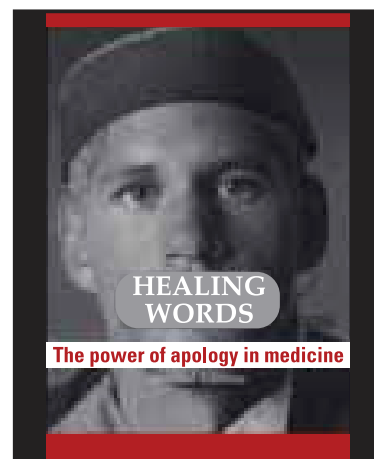
Speaker: Dr Heather Wellington

Medical Practitioner and lawyer who has held a number of senior hospital and Department of Human Services positions in Victoria. Heather currently works as a consultant to the health law practice of national law firm Phillips Fox. Heather is Chair of the Board of Directors of Peter MacCallum Cancer Centre. She is also a Director of the Geelong Medical & Hospital Benefits Association. Heather has a strong professional interest in health care safety and quality and between 2000 and 2005 was a member of the Australian Council for Safety and Quality in Health Care.

3.00pm

CLOSE OF SYMPOSIUM

Books from
Ausmed Publications
and The Joint
Commission on
Accreditation of
Healthcare
Organizations will be
available for sale at
this symposium.



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