

Information Statement

Communicating Adverse Events or Poor Outcomes

This Information Statement was developed as an educational tool based on the consensus opinion of the authors. It is not a product of a systematic review process. Readers are encouraged to consider the information presented and reach their own conclusions.

The practice of medicine is associated with significant uncertainty. Despite careful evaluation, planning, and expert technical execution, medical uncertainty introduces the possibility of a compromised outcome. Adverse events, complications and poor outcomes are inevitable in the practice of orthopaedic surgery. An adverse or poor outcome does not necessarily result from an error or negligent care but may stem from a combination of factors, including complications, the limitations in the practice of medicine in addressing all musculoskeletal pathology, and unexpected biological interactions. In addition, patients and families may believe that they have experienced an adverse outcome because an incomplete informed consent process did not dispel unrealistic expectations regarding treatment versus potential risks.

Adverse events should be approached in a systematic fashion. In any acute situation in which time is of the essence, the patient's immediate health care needs must be addressed first. Once the acute emergency has been addressed, the orthopaedic surgeon should immediately apprise the patient and family of the adverse event and work with the appropriate professionals in the institution to:

- investigate the event,
- identify any factors in the organization that may have contributed to the event, and
- institute strategies to prevent a similar event.

Regardless the cause of the adverse outcome, communication with the patient and family should be initiated as early as possible in order to:

- encourage teamwork between patient, family, and healthcare providers in overcoming or mitigating any negative outcome,
- make it clear that the patient's wellbeing is the surgeon's primary goal, and to avoid the appearance of hiding or covering up errors.

The AAOS Information Statement on The Importance of Good Communication in the Physician-Patient Relationship stresses the importance of effective communication with patients. Timely, open and honest communication improves health outcomes, patient satisfaction, and often reduces the incidence of medical professional liability actions.

Consistent with Joint Commission standards and the American Academy of Orthopaedic Surgeon's Principles of Medical Ethics and Professionalism, an orthopaedic surgeon should put the interests of the patient first and communicate directly with a patient/family member in an honest, compassionate manner as soon as possible after an adverse event or poor outcome occurs.

If the adverse outcome or poor outcome is the result of a medical error, the orthopaedic surgeon has an ethical and professional obligation to disclose the error to the patient and/or family. This disclosure conversation should include

- what happened
- why it happened
- health implications for the patient, and
- identification of measures being instituted to prevent recurrences.

During this conversation, the physician

- should sit down
- listen attentively
- work to understand the concerns of the patient and family
- show compassion and concern, and
- acknowledge their emotional response and needs during this difficult time.

This approach will help to set clear goals for the future patient-physician interaction. Despite initial anger and sadness over an untoward event, many individuals are gratified that an investigation is being undertaken to identify the cause of the adverse event in hopes of preventing anyone else from experiencing the same complication. The orthopaedic surgeon should discuss the event honestly and promise to keep everyone apprised of the progress of the investigation. It is recommended that no theories or probable causes be discussed until the completion of an investigation. Depending on the severity of the event, the institution's patient safety officer and risk manager will be involved, but the physician should attempt to remain the primary source of information related to the progress of any investigation and to the introduction of any new protocols to prevent recurrence. In addition, many patients have expressed that an apology is important, and this action should be considered.

The physician-patient relationship is built upon trust and honesty. The AAOS Code of Medical Ethics and Professionalism reinforces these principles in section II.A. which states: "The orthopaedic surgeon should maintain a reputation for truth and honesty. In all professional conduct, the orthopaedic surgeon is expected to provide competent and compassionate patient care, exercise appropriate respect for other health care professionals, and maintain the patient's best interests as paramount." Consistent with these principles, the AAOS urges orthopaedic surgeons to behave in a manner consistent with these recommendations when communicating about adverse events or poor outcomes with their patients and their family members.

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Information Statement 1028

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