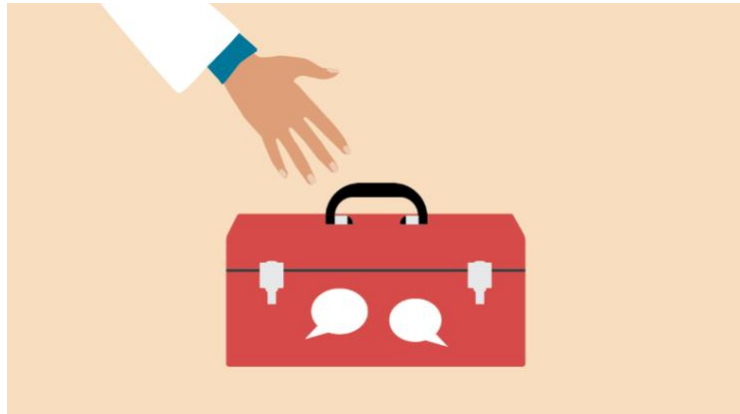


It's Time to Talk

Communicating effectively after harm happens.

By Traci Poore, JD, CPHRM and Karie Minaga-Miya, RN, JD, CPHRM, Constellation

Harm events are inevitable. But when they happen, the data have consistently shown that early, open and transparent communication with the patients/residents and family aids in maintaining trust between the affected parties and the clinicians involved. And it even reduces the likelihood of a claim being filed.



Communicating after a harm event is a stressful undertaking. But having procedures in place for how to initiate and handle these conversations provides a solid foundation for clinicians and care teams, making it easier to know what to say, how to say it and how quickly to respond to these events. Practicing disclosure conversations with peers and other care team members can help clinicians navigate these delicate interactions, preparing them for the questions that patients/residents and families may ask.

[Constellation](#), a growing portfolio of medical professional liability insurance companies, has developed a toolkit to help customers measure organizational readiness for handling and communicating after a harm event. Resources include assessments, education modules and tools aimed at preparing clinicians to communicate after a harm event. (More information on Constellation's HEAL Prepare Toolkit and other education tools later in this article.)

An organization-wide commitment to immediate, accurate and compassionate communication starts with leadership. Senior leaders need to actively participate in and promote transparent and ongoing communication with the patient/resident and their family after a harm event has occurred. Laurie Drill-Mellum, MD, MPH, Constellation's chief medical officer, stresses the importance of leadership's role in communicating after a harm event, and in ensuring that clinicians are equipped with the tools necessary to do so. "In the past, involved clinicians were told not to talk to the patient or family about an adverse outcome," Dr. Drill-Mellum says. "But people need to be heard. Providers need to feel safe and supported in their transparent communication, including if they express an apology."

Establishing a core communication team to initiate and organize these difficult conversations is also crucial to the success of early communication after a harm event. Members of this team should be selected based on their experience within the organization, their communication and interpersonal skills, and recommendations from others. They should also represent a diverse range of positions within the organization. The task of the core communication team is to assist and coach the involved care team members soon after an event occurs. This team should set an organization-wide goal of reducing the time elapsed between a harm event and the first conversation with those affected, and they should track progress toward adherence to that goal. The core communication team should be available any time, any day, and they can be trained using Constellation's tools, webinars and best practice guides for communicating.

Another important point: Communicating after a harm event is not a single event, but rather a series of events, leading to the grand finale or resolution. Similarly, communication in general is not one sole action, but many different actions in combination. To communicate effectively and empathetically following a harm event, it is important to remember the many components of effective communication.

1. **Acknowledge** what the patient/resident and family may be feeling, avoid minimizing their reactions or questions, and invite questions.
2. **Show** attention to the parties in the room, and compassion for what they are experiencing.
3. **Focus** on ongoing care, whether the care plan has changed or not. Be factual about the medical outlook, and about what the plan is medically from this point forward.
4. **Assure** the patient/resident and family that the team is committed to providing ongoing quality care, and to investigating fully what may have caused the harm event.
5. **Apologize** for what they are experiencing and show compassion for their feelings. Remember that an apology is not an admission of guilt, but rather a compassionate response to the situation.
6. **Prepare** for demands that may be made at the time of disclosure.

Putting these pieces together can seem daunting and feel like a lot to remember during an already high-stress moment. Constellation has developed the HEAL Prepare Toolkit to aid clinicians in getting comfortable with the communication process after a harm event has occurred. Included in this toolkit is a best practices guide for communicating after a harm event, a quick reference guide to use in the moment as a refresher, a sample documentation tool to aid in documenting these important conversations and a webinar that walks you through the entire process. In addition to the HEAL Prepare Toolkit, Constellation has developed a “train the trainer” program that provides five harm event scenarios. Participants are tasked with preparing for each scenario, then they have a mock disclosure conversation with their peers. Each scenario has a challenging follow-up question based on real-life cases, with tips on how to respond. At the conclusion of each mock disclosure conversation, a video clip of a Constellation Risk Mitigation Consultant helps break down what was important to say (or not say) in each scenario. Practice makes perfect, and having these conversations with your teams in a low-stress environment, with support and coaching from Constellation, can increase each team’s comfort level, helping prepare them for when they may be called upon to perform this task under pressure.

Reach out to Constellation’s risk team for more information, for help accessing any of the tools discussed here, or for any other risk associated questions: RiskTeam@ConstellationMutual.com

[The full version of this article](#) originally appeared in the Fall 2021 issue of *Common Factors*®, published online four times each year by [Constellation](#). Together with member companies MMIC, UMIA, Arkansas Mutual and MMIC Risk Retention Group, Constellation is a growing portfolio of medical professional liability (MPL) insurance companies offering innovative products and services that reduce risk and support care teams. For more articles providing health care leaders and professionals with data-driven insights and solutions, plus malpractice claims analysis and more on the latest health care topics, visit [ConstellationMutual.com](#).

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