

# Vital Sounds

A Newsletter for Health Care Professionals and Facilities

KaMMCO

Kansas Medical Mutual Insurance Company

www.KaMMCO.com

## Countdown to Fall Loss Prevention Event – September 12

KaMMCO is serious about providing its members with current and comprehensive information when it comes to delivering loss prevention education. The “How to Love Medicine Again” event scheduled for Tuesday, September 12 features Starla Fitch, MD, who has helped physicians combat burnout for many years. Join us when she shares the tools to reduce stress, increase work satisfaction and strengthen resilience.

Attendees can choose one of three ways to participate:

### Attend the live presentation:

Topeka – KaMMCO Conference Center

### Attend a regional webcast:

Hays – Ft. Hays State University Memorial Union

Overland Park – Overland Park Marriott

Salina – The Tony’s Pizza Event Center

Wichita – DoubleTree by Hilton Wichita Airport

### Join from your office or home via webinar!



Register now online at: [www.kammco.com/2017-Fall-Loss-Prevention-Program.aspx](http://www.kammco.com/2017-Fall-Loss-Prevention-Program.aspx). Dinner at the regional webcasts begins at 6 p.m. with the program beginning at 6:30 p.m. [Access the event brochure.](#)

### Featured speaker shares self-care tips

*Here’s a quick summary of Dr. Fitch’s typical, no nonsense advice.*

Dr. Fitch encourages clients to put their needs and wants at the top of the list, because so often self-care falls to the bottom of the list.

“Putting our own needs front and center is like having the best foundation ever holding up a skyscraper. When we consider our needs first, then our work, our health and our relationships all improve and build from there, in a sturdy balanced way.

This concept can start with some really basic self-care.

### 6 Quick Ways to Practice Self-Care Today:

- 1) Eat a good breakfast before you leave the house.
- 2) Make sure you are hydrated throughout the day.
- 3) Allow time for some movement, whether it’s a brisk walk, yoga class, or a run.
- 4) Take those 10 minutes to meditate in the morning instead of logging on to check social media.

5) Tell your office when you need to start late or leave early, to allow for medical or dental check-ups (You don't want your dog to get their teeth cleaned more often than you do, am I right?!).

6) Ask for what you need from your family. Kids can help pick up their toys; partners can unload the dishwasher or bring home healthy take-out for dinner; families can agree that "me-time" is sacred when the groundwork is carefully in place."

Reprinted with permission of Starla Fitch, MD. You can find additional blog postings by Dr. Fitch at her website, [www.starlafitchmd.com](http://www.starlafitchmd.com).

## ***The Power of Questions* Author and Journalist Frank Sesno to Speak at KMS Annual Meeting**



Emmy award-winning and internationally recognized journalist, Frank Sesno, will present the luncheon keynote address at the Kansas Medical Society's Annual Meeting on Saturday, September 9, at the KMS-KaMMCO Conference Center, sponsored by KaMMCO.

Sesno is the author of *Ask More: The Power of Questions to Open Doors, Uncover Solutions, and Spark Change*, which illustrates that what connects the world's most successful people is that they ask the right questions at the right time. It provides insight from the kind of illuminating interviews that have marked Sesno's award-winning career in journalism.

The KMS annual meeting is open to all KMS members at no cost, features a new, single-day meeting format designed to work with busy schedules, and gives members the opportunity to communicate with colleagues and the KMS Board regarding important issues. For more information and to register, visit: [www.kmsonline.org](http://www.kmsonline.org).

## **Don't Miss Out – 2018 Premium Credit Opportunities Expire September 30**

Did you know that KaMMCO members can receive up to 7 percent in policy premium credits, just by planning ahead to attend a Loss Prevention event and take an online course?

Eligible insureds attending or viewing the recording of the [Fall Loss Prevention](#) event may receive a 5 percent premium credit on their 2018 policy premium. Members may view the event in person at one of our viewing locations or participate live by webinar on September 12. A recording of the presentation will be made available on KaMMCO's website later in September. [All viewing options will offer the 5 percent policy premium credit for attendance](#), including the post-event recording, accessed online through the KaMMCO website, by September 30, 2017, at 11:59 p.m. Register for the Loss Prevention event [here](#).

For several years, KaMMCO has made available an online curriculum through ELM Exchange, Inc., easily accessible on the KaMMCO website. ELM courses can be accessed 24/7 from any computer (or mobile device) with internet capability. The online education offers KaMMCO members a convenient way to qualify for an additional 2 percent policy premium credit. Completing [one course](#) between October 16, 2016, and 11:59 p.m., September 30, 2017, may qualify members for premium credit on the 2018 policy renewal. Access KaMMCO online courses [here](#).

## Tips from the Trenches: Claims Update

By Cristy Anderson, JD

KaMMCO Vice President Claims

**Specialty:** OB/GYN w/Surgery

**Procedure:** This 37 year-old female patient presented to our insured complaining of right lower quadrant pain that decreased after emptying the bladder. The insured physician performed an ultrasound that showed multiple benign cystic masses with one larger than the others and possible hydrosalpinx. Our insured encouraged the patient to observe her condition for 2-3 weeks but call if she had increased pain. Two days later, the patient called complaining of debilitating pain and asked that surgery be scheduled. Two days later our insured performed a diagnostic laparoscopy which was converted to a pelviscopy for extensive adhesions, and removal of both fallopian tubes and the right ovary (the left ovary had previously been removed). The recovery was complicated by development of a pelvic hematoma that required additional surgery. The patient continued to experience pain, an ultrasound showed fluid collection, and a CT scan showed an apparent urinoma. The patient was referred to another specialist who initially treated her with a nephrostomy tube. The patient was ultimately referred to yet another specialist who discovered the ureter was obstructed by surgical staples. The patient was surgically treated with reimplantation of the distal right ureter to the urinary bladder and made a full recovery.

**Allegations:** Allegations against our insured included failure to attempt more conservative methods of treatment prior to surgery, performing surgery not medically indicated, failure to apprise the patient of the risks and benefits associated with surgery (lack of informed consent), negligent stapling of the right ureter causing total obstruction, and failure to recognize the obstruction, thereby delaying treatment.

**Resolution:** Our insured made a good witness and did a good job of listening to questions and carefully formulating his answers during his deposition. He was extremely helpful in gathering facts and performing research in preparation for his case. The patient, on the other hand, recalled little of her own medical history and knew very little about her medical condition during her deposition testimony and did not make a good witness. Based on the facts gathered and credible testimony by our expert witnesses in support of our insured, the decision was made to deny the claim (i.e. no settlement offer was made) and take the case to trial. The result was a verdict in favor of the patient. The jury awarded \$100,000. The patient's original demand was \$608,770.

**Cost of Defense:** \$163,690

### Risk Management Tips:

- Document the record. Our insured did not retain the original ultrasound for the record. However, he did document the instruction to observe 2-3 weeks before proceeding to surgery.
- Assist in your own defense by helping your attorney understand the medicine, looking for helpful articles, and gathering facts that support the care provided.
- If you believe the care you provided was appropriate and you feel your care should be defended through trial, stick to your decision and try not to back out at the 11<sup>th</sup> hour because of time away from your office or fear of a bad outcome. However, if you are being advised by your attorney to settle the claim, trust in their expertise. After careful assessment, the defense team felt the verdict could go either way. In the end, the decision was made to proceed to trial since damages were within policy limits. The outcome reflected the team's pre-trial assessment was fairly accurate.

**Litigation Tip:** This was a risky case to take to trial. Although the jury issued a verdict in favor of the patient, the result was much better than what it would have been had the case settled. We considered this a win!

## New partnership between KaMMCO and LinkCapital



KaMMCO understands that new physicians may find themselves in a financial quagmire from student loans, and has partnered with LinkCapital to offer student loan refinancing products to its policyholders. Through this relationship, KaMMCO members have access to LinkCapital's dedicated team of student loan specialists who can answer loan program questions and provide application guidance.

If you're interested in consolidating multiple loans, or capturing monthly or life of loan savings, a LinkCapital loan may be a good fit. Details on program eligibility, earnings, and terms and conditions, can be found at [www.linkcapital.com/kammco](http://www.linkcapital.com/kammco).

## Opioid Use Disorder and Addiction Treatment

### Part I: The substance abuse epidemic and potential treatment

*By Shane D. Hudson, MS, LCP, LCAC*

*Central Kansas Foundation*

*Vice President of Clinical Operations*

The opioid epidemic we are currently facing has been devastating to many communities, and it continues to spread across the United States. Reports indicate Kansas is the 16th highest opioid prescribing state in the country, with Kansas' prescription opioid overdose death rate increasing between 2013 and 2015 by 28 percent and heroin deaths increasing by 71 percent. While alcohol and methamphetamine continue as the top two substances being used by patients entering treatment in Kansas, the increasing opioid overdose death rate in the U.S. is a concerning trend.

Addressing this issue requires multiple efforts, including addiction education and prevention, stopping the over-prescribing of medications, improving access to evidence-based treatment, and training first responders to utilize naloxone for overdoses. Addiction is a disease that needs to be treated as such. The approach to assist patients in achieving recovery should be dynamic and individualized. Unfortunately, the solution is not as simple as 'just don't start using' or 'just stop using.'

An evidence-based treatment approach requires substance use disorder treatment alongside medication assisted treatment (MAT). MAT for opiates includes agonists such as methadone and buprenorphine (suboxone), as well as antagonists such as naltrexone and vivitrol (the injectable version of naltrexone).

In order for patients to receive quality treatment, coordination needs to occur within the medical community and substance use disorder treatment community. While residential and outpatient substance use disorder treatment can assist in addressing the cognitive and behavioral changes that must be accepted and implemented to be successful in recovery, MAT can assist in addressing the neurophysiological components that will allow for increased success in recovery. These components utilized side-by-side can aid the patient by treating the scope of addiction.

When considering MAT treatments, specifically agonists, some may be concerned about 'replacing one addiction with another.' While opiate agonists feed opiate receptor sites in the brain, the use of opiate agonists should not be labeled as addiction in and of itself. Both the researched success rates of those utilizing MAT and the differences between physical dependence and addiction support this point.

Part 2 of this article will appear in the October 2017 issue of Vital Sounds. Part 2 will more fully explore effective substance abuse treatment with MAT. For more information about MATs, including drug facts and becoming a prescriber, go to [www.samhsa.gov/medication-assisted-treatment](http://www.samhsa.gov/medication-assisted-treatment).

In addition, the Kansas Medical Society recommends the following resources to its members:

[www.pharmacy.ks.gov/k-tracs](http://www.pharmacy.ks.gov/k-tracs) - a prescription monitoring program to provide Kansas physicians with relevant information prior to prescribing. Additionally, the PMP (K-TRACS) is monitored by physicians who review practice type and patterns when evaluating their peer's prescribing patterns.

[www.cdc.gov/drugoverdose/prescribing/guideline.html](http://www.cdc.gov/drugoverdose/prescribing/guideline.html)

[www.cdc.gov/drugoverdose/pdf/guidelines\\_factsheet-a.pdf](http://www.cdc.gov/drugoverdose/pdf/guidelines_factsheet-a.pdf)

[www.ama-assn.org/delivering-care/reversing-opioid-epidemic](http://www.ama-assn.org/delivering-care/reversing-opioid-epidemic)

[www.fsmb.org/Media/Default/PDF/Publications/\(2017-5-17\)%20Updated%20Opioid%20Guidelines.pdf](http://www.fsmb.org/Media/Default/PDF/Publications/(2017-5-17)%20Updated%20Opioid%20Guidelines.pdf)

## KaMMCO Provides Life-changing Experience for Summer Intern



Summer intern Jessica Mechler said she is “beyond grateful” for the diverse internship she experienced working for the Family of Companies. As a Health Care Management major at Harding University, Searcy, AR, this past summer, Jessica worked with KaMMCO’s claims, compliance, corporate governance, and human resources departments and the Kansas Healthcare Collaborative’s communications department.

“My first day on the job, I never would have thought I would leave KaMMCO with a future plan,” she explained. “I am overjoyed to know that after graduation, I will get my MBA with an emphasis in medical management, and then attend law school so I can merge my passion of healthcare with my interest in medical professional liability!”

## **Attention: Renewal Notices Mailing Soon**

A timely reminder to KaMMCO members to watch your mail as renewal notices will be mailed in early September. Please contact the KaMMCO Underwriting Department, 800-232-2259 with questions.

## Upcoming Events

Kansas Practice Transformation Network Annual Learning Event, October 18, 2017, Rolling Hills Zoo/Conference Center, 625 N. Hedville, Salina. Register [here](#). Access the agenda [here](#).