

Notes

MEDICAL MUTUAL
Liability Insurance Society of Maryland

FROM THE CHAIR OF THE BOARD

July 2018

HEADLINES

Risk Management Help Provided on Key Topics

Cloud Computing

Ways to mitigate the risk of using cloud-based services

Opioid Prescribing

Ideas on reducing your liability while providing effective patient care

Physician Burnout

Helpful tips and resources that address causes of Physician stress

Practice Management

Suggested answers to common issues faced by practice managers and staff

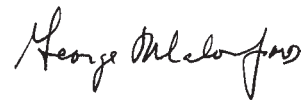
Dear MEDICAL MUTUAL Member:

Recently, representatives of the MEDICAL MUTUAL management team had the opportunity to speak at the MedChi Spring House of Delegates Meeting. This was made possible because of MedChi's support of our initiative to include the functionality of our President's Circle at the MedChi event. Our annual President's Circle meeting traditionally brings a group of leaders of Physician organizations to MEDICAL MUTUAL for a "state of the company" presentation and a discussion of current Physician concerns. The ability to present at the MedChi Meeting for this purpose enabled us to reach many more Doctors and, for this, we are sincerely grateful.

I attended this meeting and greatly enjoyed hearing the healthy dialogue on the significant issues facing the medical community that followed these presentations. The Doctors at the session were motivated and thoroughly engaged, and offered many thoughtful questions to our team. While we had a productive discussion on these issues, we decided to produce this special edition of our *Notes from the Chair* newsletter to provide timely information on some of the important areas identified by meeting attendees. Please make sure you **refer to page three** of this newsletter for essential risk management information and links to more comprehensive resources. The knowledge gained may enable you to minimize liability risk as you care for your patients.

In closing, I would like to thank all of our Insureds for their loyalty and support. MEDICAL MUTUAL has never wavered in our commitment to provide the absolute strongest possible defense against malpractice claims for Maryland Doctors. In addition to our strong advocacy for you in the legislative and judicial arenas, we also continuously work to provide timely and helpful risk management guidance on the issues affecting your practice. I urge you to review the recommendations in this special issue of *Notes*, and to refer to our web site, mmlis.com, for additional information.

Best Wishes,



George S. Malouf, Jr., M.D., FACS
Chair of the Board

SEE PAGE 3 FOR TIMELY RISK MANAGEMENT INFORMATION

**CLOUD-BASED
EMR SYSTEMS**

**OPIOID
PRESCRIBING**

**PHYSICIAN
BURNOUT**

At first glance other insurers may look like a viable choice for your practice.

BUT ARE THEY?



WHAT HAPPENS WHEN YOU TAKE A CLOSER LOOK?

Some studies tell us that it takes just one-tenth of a second for people to judge something and make a first impression. The problem, as we all know, is that appearances can be deceiving. This is especially true if misleading or incomplete information is provided.

Other insurance companies may tell you they offer everything MEDICAL MUTUAL does. Don't believe it. MEDICAL MUTUAL and only MEDICAL MUTUAL provides the gold quality defense and support your practice needs. Settle for nothing less.

UNMATCHED

ABSOLUTE STRONGEST CLAIMS DEFENSE

No other insurance company has access to our elite legal defense team, including Maryland's most talented malpractice defense attorneys and our experienced claims management specialists.

UNEQUALED

YEAR-ROUND ADVOCACY

Only MEDICAL MUTUAL fights for your professional liability interests in the Maryland legislature and appellate courts. We are the only carrier working tirelessly to preserve hard-earned tort reforms.

UNSURPASSED

RESPONSIVE, LOCAL CUSTOMER SERVICE

MEDICAL MUTUAL offers friendly, knowledgeable and efficient customer service from our Hunt Valley office for the convenience of your practice. Get helpful, personalized service when you need it.

UNBEATABLE

REWARDS FOR MARYLAND DOCTORS

We are a national leader in returning dividends. Last year, Insureds received a total of 36% in renewal dividend credits. And our *Mutual Advantage Plan* financial reward program recognizes your loyalty.

UNPARALLELED

MARYLAND-FOCUSED RISK MANAGEMENT

Each year our local, medico/legal experts create new risk management education programs specifically designed to address the unique patient care and liability challenges faced by Maryland Doctors.

UNWAVERING

COMMITMENT TO MARYLAND DOCTORS

Only MEDICAL MUTUAL has defended Maryland Doctors continuously for over 40 years. We're Doctor-owned and directed and have the dedication and financial strength for your long-term protection.

CLOUD COMPUTING

More info: mmlis.com/cloud

Using cloud services to house and back up medical records is becoming more popular among medical professionals. At the same time, hackers and online thieves are targeting health care organizations at an alarming rate. Therefore, it is important to make sure patient files are secure and, at the same time, easy to access.



MEDICAL MUTUAL suggests doing these five things to mitigate your potential risks in using cloud based services: 1) make sure the vendor you are using is HIPAA compliant and have them sign a Business Associate Agreement (BAA); 2) use passwords that are at least 10 characters long, and include a combination of upper and lower case letters, numbers and special characters; 3) configure your controls and use two-factor authentication for access; 4) employees and outside consultants should have access only to the protected health information (PHI) they need to do their job; 5) be aware of phishing techniques – outside sources could gain access to your system (and, thus your cloud system) by sending emails that *look* like they come from reputable sources. Have protocols in place to help you and your staff identify potential phishing emails.

This list is not inclusive of *all* of what we recommend; you can find additional information on our web site that will help you and your practice with issues surrounding EHR and cloud computing risks. Visit mmlis.com/cloud

OPIOID PRESCRIBING

More info: mmlis.com/opioids

A study conducted by the National Institute on Drug Abuse in March of 2018 concluded that more than 115 people in the United States die every day after overdosing on opioids. MEDICAL MUTUAL understands there are increased challenges associated with prescribing opioids to your patients. Our recent *Doctors Rx* newsletter, *Opioid Prescribing: A Delicate Balance*, describes safe prescribing and treatment practices in greater detail. There are several significant takeaways from that piece: creating, discussing and documenting a treatment plan; and prescribing proportionally.



The CDC suggests the treatment plan should “explain the physician’s rationale behind the prescription, noting the patient’s condition and what the physician will prescribe.” Additionally, the newsletter suggests that Physicians should document the proposed pain relief and/or improved physical and psychosocial function the treatment plan intends to address. In discussing the treatment plan, you should provide information as to the risks and benefits of opioid medication – and, importantly, you should document that discussion as well as your thought process. It is also recommended that you advise the patient to try the opioid medication for a specified period of time and then re-assess. Most importantly, make sure you use the Maryland Prescription Drug Monitoring Program. Finally, it is vital to prescribe proportionately – only prescribe what’s reasonably expected to be needed.

While these steps are a good start, we recommend consulting our additional resources online at mmlis.com/opioids

PHYSICIAN BURNOUT

More info: mmlis.com/burnout

Burnout is a symptom that affects many Physicians. A recent study by NIH reports that 45% of Physicians feel burnout in their work, which is the highest percentage compared to other careers in the United States.

According to the AMA, there is a growing understanding of how Physician burnout can be connected with increased rates of medical errors, riskier prescribing patterns and lower adherence to chronic disease management rates. From a personal perspective for the Physician, there is an increased risk for clinician-related substance abuse, strained personal relationships and even Physician suicide. Being aware of this problem is the start to a remedy. And, we have an extensive amount of helpful information and resources available on our web site.



While past efforts to reduce burnout have focused primarily on Physician wellness, the American Academy of Family Practitioners (AAFP) suggests the importance of evaluating the environment in which you practice. Modifications to that environment could prove valuable. The AAFP suggests this could include building a team-based model in which medical assistants gather data, reconcile medications, set the agenda for patient visits and identify opportunities to increase preventative care.

For information and more resources on Physician burnout, please contact our Risk Management Department at 410-785-0050 or toll free at 800-492-0193, or visit mmlis.com/burnout

PRACTICE MANAGERS: HELP IS JUST A PHONE CALL OR CLICK AWAY

Do these questions apply to your practice?

MEDICAL MUTUAL's risk management support staff is here to help. Call us at **410-785-0050** or toll free at **800-492-0193** for live, personalized phone advice whenever the need arises.

MEDICAL MUTUAL Insureds also have exclusive access to our online practice management resources, including our free *Practice Management 101* program. This education program uses case studies, quizzes and other multimedia to revisit the basics on how to keep your practice a secure and appropriate environment for patients. You can opt in to this valuable resource by visiting mmlis.com and selecting "Resources/Office Staff Resources."

Other support for office staff on our web site includes timely information on HIPAA and EMR compliance, free online education on Patient-Doctor communication and more.

- How do I deal with a difficult patient?
- How do I discharge a non-compliant patient?
- I received a records request, what do I need to do?
- Do you have any sample policies and procedures?



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ISSUE

- **Cloud Computing: Ways to Mitigate Your Liability**
- **Opioid Prescribing: Providing Good Care, Limiting Risk**
- **Physician Burnout: Helpful Tips on Managing Stress**
- **Practice Management: Answers to Common Issues**

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