



Unanticipated Outcome Preparation and Documentation Checklist

When a patient experiences an unanticipated outcome or a medical error occurs, there is an expectation that the healthcare establishment will deal with the event openly and honestly. However, disclosure can be difficult and, when handled poorly, can damage the patient-provider relationship.

This checklist will help guide the steps in the disclosure process, from preparation to documentation, and applies to both inpatient and outpatient facilities.

	Yes	No
Initial Steps Following an Unanticipated Outcome		
The patient is safe and has received emergency treatment.		
The organization's policy and procedure to guide the disclosure process have been reviewed.		
Other: (Specify)		
	Yes	No
Preparation for the Discussion		
The facts of the event have been reviewed.		
The cause of the adverse event (what are known facts, as opposed to speculation about what happened) has been determined.		
Have you determined:		
How this event will affect the future care of the patient?		
When more information will become available?		
Who should be involved in the disclosure?		
Where the disclosure will take place?		
Other: (Specify)		
	Yes	No
Starting the Conversation		
Have you:		
Ensured that participants know HIPAA privacy concerns before beginning the process?		
Ensured the patient is comfortable with the discussion going forward with the parties present?		



Avoided medical jargon and prepared to explain medical conditions and treatments in terms that the patient or family will understand?		
Are you aware of the patient's and family's health literacy and their ability to understand the information presented to them?		
Other: (Specify)		
	Yes	No
Presenting the Facts		
When presenting the facts to the patient/family have you:		
Avoided speculation and theories?		
Described for the patient and family what is known at the current time?		
Identified any additional treatment the patient will receive?		
Described what the organization is doing to determine what happened if known?		
Have you told the patient/family that as more information is available, there will be further discussions?		
Other: (Specify)		
	Yes	No
Conclude the Discussion		
When concluding the discussion have you:		
Summarized for the patient/family the facts of the conversation and ensured their understanding?		
Repeated any questions raised by the patient or family?		
Assured that the patient or family knows who will follow up with them after the discussion?		
Addressed any actions that the patient or family needs to take?		
Provided them with contact information to know whom to call if they have further questions or need clarification?		
Other: (Specify)		
	Yes	No
Documentation of Clinical Details		
When documenting the clinical details of the event have you documented:		
Objective details of the event, including date, time, and place?		



The patient's condition immediately before the time of the event?		
Medical interventions and patient response?		
Notification of provider?		
Other: (Specify)		
	Yes	No
Documentation of the Conversation Held with the Patient/Family		
When documenting the conversation with the patient/family did you document:		
The time, date, and place of discussion?		
The names and relationships of those present at the discussion?		
The discussion of the unanticipated outcome?		
The patient/patient representative reaction and level of understanding exhibited by the patient/patient representative?		
Any offer to be of assistance and the response to the offer?		
Questions asked by the patient and family and responses to the questions?		
That as more information becomes available, this information will be shared with the patient, family, or legally authorized representative?		
The next steps to be taken by the patient and any providers or the facility staff?		
Any follow-up conversations?		
Tips for Disclosure		
It is vital that healthcare providers sincerely acknowledge the patient/family's grief and suffering.		
Be honest, empathetic, and compassionate.		
Encourage the patient to express their feelings, thoughts, fears, or anger about an adverse event.		
Listen and be responsive to the patient's concerns.		
Respond to questions with honest answers.		
Ask open-ended questions, "Is there something you would like to ask?"		
Tips for Documentation		
Do not alter the record. <i>Most attorneys would agree that this is the most self-destructive thing a provider can do.</i>		
Avoid remarks regarding liability insurance coverage.		
Avoid jousting remarks about the hospital or other providers.		
Avoid discussion regarding peer review and quality improvement review.		



Notes:

Medical Mutual Insurance Company of Maine offers this information as reference information only and is not intended to establish practice standards or serve as legal advice. MMIC recommends you obtain a legal opinion from a qualified attorney for any specific application to your practice