



# Risk Management SNAPSHOT

Current issues and trends for  
practice managers



## Open Notes: Have no fear.

The 21st Century Cures Act, also referred to as “open notes,” will allow patients to access physician notes as they appear in their medical records, beginning April 5, 2021. Should physicians be concerned about patients reading their notes?

According to a [commentary published in Internal Medicine News](#), Drs. Del banco and Blease think providers should not be concerned about patients reading their notes but should view it as an opportunity for an open dialog with their patients. The piece cites previous projects that opened notes to patients with favorable results.

As Medical Mutual’s practice tip, [Complete Medical Records: Your Best Defense](#), points out, your documentation can be your most robust defense against a malpractice suit.

## Recognizing and treating child sex trafficking.

Sexual exploitation of children and adolescents is a traumatic experience that can cause physical injuries and mental health issues. Do you know the risk factors for sexual exploitation, and do you have the skills needed to screen your patients appropriately?

[An article published in MDEdge](#) states that one study showed that 46% of victims had seen a healthcare provider sometime in the last two months. Recognizing and helping these victims can be difficult, but there are tools available to identify victims and help providers approach them in a non-threatening manner that can lead to positive outcomes.

Medical Mutual’s practice tip [Minors and the Right to Consent to Health Care Treatment](#) points out that minors as young as 12 years old can consent to some aspects of their care. In addition, EMTALA requires that anyone presenting to an emergency department is screened for an emergency medical condition, regardless of their age or consent of a parent or guardian.

## Are your patients using essential oils? Are these oils safe or effective?

The use of natural remedies has been on the rise in recent years. Some people do not trust drug manufacturers and see essential oils as a safer alternative to prescription medications. While some home remedies do not pose significant risks, others can be harmful to patients. Do you know if your patients are using essential oils?

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An article in MDedge states that while some home remedies can be ineffective or even harmful, [a few studies have shown positive results from some essential oils](#). Maintaining a positive relationship with patients will increase their comfort in sharing all aspects of their healthcare. With open communication, you can guide your patients to the proper research to determining which oils or home remedies might be right for them.

Our practice tip [Medication Safety in the Office Practice](#) reminds providers of the importance of asking questions about herbal medicines and other therapies when performing medication reconciliation.

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## Delegating tasks to medical assistants.

Many physician practices employ medical assistants (MA) to perform patient care tasks, from rooming patients to obtaining vital signs. The duties MAs perform, and their skill levels can vary significantly from one practice to another. Do you have questions about what tasks a medical assistant can perform in your office and how to assess their competencies?

While some states regulate duties medical assistants can perform, others offer no guidance.

The lack of state guidance can make it challenging to develop job descriptions and competencies for medical assistants. In these two articles published in CMA Today, [What tasks are delegable to—and performable by—medical assistants? Part I](#) and [Part II](#), Donald A. Basala, JD, MBA, CEO of the American Association of Medical Assistants, provides guidance on what are generally acceptable tasks that can be delegated to and performed by MAs. Practices can use this information to develop job descriptions and competencies for their MAs.

Our practice tip, [Competency Assessment: Physician Office Practice](#), can assist your practice in establishing processes to train staff and assess their competencies properly.

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## Multi-Tasking Gone Too Far?

The pandemic has changed our daily lives, with many activities that once took place in person now happening virtually. However, some activities, such as surgery, still require all involved in being present and focused. And while some people pride themselves on their ability to multi-task, perhaps this surgeon took the concept too far.

It isn't clear if Dr. Scott Green felt his multi-tasking skills were such that he could perform surgery and attend virtual traffic court simultaneously, but things did not go as he planned. [In this article \(with a video\)](#), Dr. Green, a surgeon, signed in to Zoom traffic court while operating on a patient. Concerned for the safety of the patient, the judge rescheduled the court appearance. Dr. Green may have more than a traffic ticket to be worried about now because the Medical Board of California received complaints about the incident and is investigating.