



## PROFESSIONAL LIABILITY INSURANCE

### Common Sense is Your Best Defense

By **Stuart E. Hoffman, DC, FICA**

At least once a year, if not every few months, it is a smart idea for the practitioner to stop and take a practical look at all aspects of clinic operations, looking for issues and procedures where changes are indicated just on the basis of common sense. From a professional liability perspective, this is not only sound advice, but a must if you want to minimize your liability exposure espe-

cially from those unusual, but alarmingly frequent unexpected quarters.

As the year starts to wind down, now is a good time to do a review of your clinic procedures and other aspects of your practice.

Starting with physical layout and patient safety issues, you should carefully survey every square foot of your clinic. Look for loose tiles or buckled carpet, cords and wires that might have found their way into walkways, sharp corners

on tables, desks, filing cabinets and any other physical items into which patients might easily bump, trip over or fall on. Also, don't forget to look at anything with which your patients come into contact, including the coffee machine if you have one, making certain that it is up far enough so that it is out of reach of children, and likewise any water cooler, making sure that it is stable and not easily tipped over. Don't forget to look at the outside of your clinic, including parking facilities, and your doors and sidewalk.

The next category of items relates directly to your professional activities. Start with the adjusting tables, make sure that all are stable, in good repair and functioning as they were intended to function. Don't minimize the importance of keeping your tables in tip-top shape. Injuries to patients because of faulty equipment are 100 percent preventable, and especially when heavy,

power-driven lift tables are in use, represent an important risk management area.

The physical plant is the easiest part of your practice to review from a safety point of view, but the clinical operations are by far the most important dimension of any risk management review.

Here are some issues you should consider:

- **RECORD KEEPING:** Are your clinic files up-to-date, in complete and defensible shape, and secured in a HIPAA compliant format? It is frequently said that record keeping is the chiropractor's Achilles Heel, and that could very well be true. A sound clinical record system, maintained on a timely basis is vital to minimizing your malpractice risks, as well as the best guarantee that third-party payment agencies will honor your claims. This could very well be the area on which you might look to do a major overhaul.

- **PROBLEM PATIENTS:** Do you know who your problem patients are and do you have a sound strategy for addressing their concerns and keeping your practice out of the line of spin-off complaints? This is where you need to make sure that your staff is sharing everything that might be problematic in any way with any patient. Don't hesitate to seek the help of professional colleagues whose judgment and experience you trust, seek advice from your malpractice carrier and your professional organizations. This is another *ChiroSecure* benefit in having a fellow chiropractor to speak directly to. You do not and perhaps even should not go it alone in such cases. But you shouldn't let things go unaddressed either.

- **COMPLIANCE:** Have you reviewed your state, province or national rules and regulations lately? Understanding the current state of the law is a key element in keeping your practice in compliance at all times and out of harms way. Again, this is an area in which you have the ability to prevent issues and incidents by being fully up to date on what the official rules are. Also look at your HIPAA status. This is an easy one to overlook since after the first rush of attention and concern a couple of years ago, this federal privacy program has receded into the background. It is, however, still the law. Visit the official US Department of Health and Human Services, Office of Civil Rights, HIPAA website at <http://www.hhs.gov/ocr/hipaa/> for free, accurate and up-to-date information.

- **COLLECTIONS:** Do you know the status of your collections, and do you have a sound plan to address outstanding balances and avoid problems with otherwise satisfied patients? This issue is key in malpractice prevention since a good percentage of professional liability claims truly stem from the collections process. Once again, this is an area where you might find great benefit in the experience of your professional colleagues. Look for good advice and take it. Above all, act to swiftly resolve any outstanding issues with patients

# BEFORE YOU BUY,

CHECK OUT  
**HESSCO**

**EVERYDAY LOW PRICES**  
on thousands of items!

Visit [WWW.HESSCO.COM](http://WWW.HESSCO.COM) or  
call 800-237-5652 to order



**BIOFREEZE**  
Buy in quantity and save!  
As low as \$4.50

**SOMBRA**  
LOWEST PRICES IN THE NATION!



**HEAD REST PAPER**  
1 CASE - 25 ROLLS  
8.5" x 225' smooth  
That's 5,624 FEET!  
only \$30.95



**CHIROFLOW®  
WATERBASE™  
PILLOW**  
As low as \$25.40



**AQUACORE™  
WATER PILLOW**  
Prices so low the  
Mfg won't let us advertise them!



**TENS UNIT  
w/TIMER**  
As low as  
\$23.95



**LOWEST PRICES  
ON ALL CORE  
PRODUCTS**

**ELECTRODES**  
FREE Shipping!  
Low Prices!

on all HESSCO, Dynatron,  
Chattanooga, Uni-Tab, Zimmer,  
PALS® and UltraStim® Electrodes!



ONE EXAMPLE:

Order 12 packs of our popular HESSCO reusable electrodes with Everstick™ (2.25" x 2" foam, rectangle), and pay only \$6.50 PER PACK Plus FREE shipping! Plus, You get a 13th pack FREE! (BAKER'S DOZEN)  
Available on HESSCO brand electrodes only

**Acupuncture Supplies**



All used and recommended  
by Dr. John Amaro.

All at HESSCO  
Super Low Prices!

**SPINE POWER™** Pelvic Stabilizer Belt

Comfort and support never offered before in similar support belts. Available in 5 sizes.



Great Product . . . Great Prices

WE SHOP  
ALL THE MAJOR  
SUPPLIERS SO YOU  
DON'T HAVE TO!

**DYNATRON 525 Electrotherapy**

- 3 treatment channels, one of which is dedicated to high volt stim
- 4 modalities – interferential, premodulated, biphasic, and high volt
- One year warranty



List Price: \$1995.00  
HESSCO Price: \$1250.00

**VERTEFLEX™ 2000**  
Intersegmental Traction Table



Standard Features:

- Roller suspension offers equal pressure through the entire travel
- Longest treatment length on the market
- Metal Cabinet • Hand-held Patient Control Switch

Call HESSCO and save!

Show with referral from a medical office

**DYNATRON 125 Ultrasound**

- 2 frequencies: 1 and 3 MHz
- Watertight Smartheads™ available in 2, 5 and 10 cm² sizes
- Head warming • Stim input for combination therapy
- One year warranty



List Price: \$1495.00  
HESSCO Price: \$995.00



**EXERCISE  
BALLS**

several brands to  
choose from

As low as \$10.20



Friendliest  
service  
AND  
lowest prices  
for over  
40 years.