



ORTHOPAEDIC SURGERY – RISK REDUCTION STRATEGIES

Musculoskeletal injuries are the leading cause of disability in the United States. They account for one-half of chronic conditions in people over 50 years of age. Among the claims data submitted to the Physician Insurers Association of America (PIAA), regarding 28 different specialties, orthopaedic surgery ranks 5th in the number of claims reported.

Areas of increased risk for orthopaedic surgeons include:

1. Tourniquet usage
2. Not using intraoperative x-rays with fluoroscopy in joint replacement surgery to confirm hardware placement resulting in inadequate positioning
3. Post operative infection
4. Undiagnosed/Mismanaged fractures
5. Failure to recognize and manage medical complications
6. Failure to document adequate informed consent
7. Inadequate record keeping
8. Failure to appropriately evaluate x-rays and lab studies

Of the closed claims data submitted to the PIAA in 2008, approximately 31% of orthopaedic closed claims data resulted in indemnity payment to the plaintiff of \$269,761 and the average cost to defend the claims was \$59,524. Procedures on joint structures resulted in the most claims in this specialty. Consent and documentation issues also remain a problem in many cases.

American Physicians Insurance individual data results trend very similar to PIAA cumulative data. For claims closed in 2008 the average indemnity payout is \$238,186 and average expenses were \$63,550.

The goal of the API risk management department is to provide physicians the tools and information to implement risk management and mitigation techniques within their practice.

The following are risk reduction strategies we recommend:

- Review the patient's entire clinical picture prior to surgery. This includes lab and x-ray studies.
- Explain the risks, benefits and alternatives of the procedure with the patient and family in easy to understand language and provide educational materials.
- Document all consent discussions.
- Reduce wrong site surgery mishaps by marking the correct site and performing a "timeout" with the surgical team prior to incision.
- Use computer order entry systems if available, if not write legibly.
- Standardize treatment policies and protocols to avoid confusion.

American Physicians Insurance Company is a leader in providing medical professional liability insurance to physicians and their practices and has been protecting the healthcare community since 1976.

To find out more, visit www.api-c.com or call (800) 252-3628.

©2009 American Physicians Insurance Company. All rights reserved.