

CookChildren's

Engaging Risk Management as a Resource


Reducing Liability at Your Community Event

March 16, 2015

Frank S. Testa, RN,CPHRM
System Director, Risk Management
Cook Children's Health Care System
frank.testa@cookchildrens.org

why I do what I do

Ava
and
Jacob



Objectives

- Discuss methods for successfully working with risk managers to proactively identify and address liability issues
- Identify considerations pertaining to risk and liability when creating safety programs
- Discuss the effectiveness of a proactive risk assessment program

CookChildren's

disclosure

Consistent with risk management guidelines, **faculty are expected to disclose any economic or other personal interest that create or may be perceived as creating a conflict** related to the material discussed. This action is intended to make you aware of the faculty's interest so you may form your own judgments about such material. At the time of this presentation, disclosure has been made and follows:
Frank Testa, RN, CPHRM, has no relevant financial relationships to disclose

Cook Children's Healthcare System

Cook Children's Health Care System is a not-for-profit, nationally recognized integrated pediatric health care system

- 6,300 employees
- Medical Center
- Physician Network
- Home Health Company
- Pediatric Surgery Center
- Health Plan
- Health Foundation
- Health System
- Offshore Insurance Captive



Cook Children's Medical Center

Undergoing a \$375 million expansion project

- 430 licensed beds
- Magnet designated since 2005
- 106 private bed NICU
- 120,000 annual ED visits
- 135,000 adjusted inpatient days



CookChildren's

Cook Children's Promise

"Knowing that every child's life is sacred, it is the promise of Cook Children's to improve the health of every child in our region through the prevention and treatment of illness, disease and injury."

Cook Children's Child Safety Programs

Community Programs:

Cook Children's is the lead organization for Safe Kids Tarrant County

- Drowning Prevention
- Poison Prevention
- Child Passenger Safety
 - 6 permanent fitting stations
 - Community Buckle Up Events once a quarter
 - Free car seat check appointments
 - Provide low cost or free child safety seats along with education on correct use and installation

Risk Management

- Liability:
 - Something that puts an entity or individual at risk or become responsible for

 - The obligation of an entity or individual arising from past transactions or events

CookChildren's

Risk Management

Risk Management is not the enemy

They can:

- Help you proactively identify and prevent problems
- Give you insight to build and maintain a stronger program
- Help protect you, the program and the organization/facility from liability
- Utilize the risk management process to determine level of risk acceptance

© 2014

Risk Management

IT'S ALL
ABOUT THE
CHILDREN!

WHAT CAN I DO TO HELP?



© 2014

Risk Management

- Role of the Risk Manager:
 - Resource
 - Expert
 - Facilitator
 - Protector
 - Supporter

© 2014

Risk Management
<ul style="list-style-type: none">• Loss Control:<ul style="list-style-type: none">• Identify and analyze the risks• Determine the outcome (severity)• Put steps in place to reduce the risk• Put steps in place to minimize the outcome• Develop a strategy for what to do when it happens (have a plan)• Risk Financing:<ul style="list-style-type: none">• Transfer the risk• Retain the risk• Claims Management<ul style="list-style-type: none">• Mitigation• Defense strategy

Risk Management
<ul style="list-style-type: none">• Identifying Risks:<ul style="list-style-type: none">– Review the day-to-day operations of your program<ul style="list-style-type: none">• What do we do• What is our appetite for risks (board discussion)– Assessment of failure<ul style="list-style-type: none">• How well do we do it• Preoccupation with failure– Failure Mode Analysis<ul style="list-style-type: none">• Step-by-step evaluation of a process to identify potential failures and develop a process to limit the chance of a failure or the outcome (severity)

Risk Management
<ul style="list-style-type: none">• Risk Financing:<ul style="list-style-type: none">– Treatment plan for exposures which cannot be eliminated or adequately reduced through loss control– Traditional insurance– Indemnification and hold harmless clauses– Treatment plan for exposures which cannot be eliminated or adequately reduced through loss

Risk Management

- Reasons for acquiring insurance:
 - Financial protection of the organization and staff
 - Guaranteed cost, eliminate uncertainty
- Services:
 - Claims management
 - Loss control
- Cost effective
- Legal climate in your state (county)
- Organization's business strategy

Risk Management

No risk manager!
I'm a non-profit

Risk Management

- Internal and external evaluations:
 - Internal
 - Leadership walk-rounds
 - Focused evaluations of your program
 - Board member expertise
 - External
 - Insurance broker
 - Insurance carrier
 - Auditor
 - Workers Compensation carrier
 - Public safety groups assisting with your program

Risk Management

- Leadership
 - Drive change
 - Encourage staff to be the eyes and ears of (risk) management - participation
 - Utilize board member expertise
 - Support an open and trusting environment
 - Support a multi-disciplinary approach to risks

Risk Management

- Areas of concern:
 - Staff background checks
 - Staff training, competencies and continuing education
 - Professional liability
 - Non-owned automobiles
 - Contractor liability
 - Offsite locations (their insurance programs and coverage)
 - Facility safety
 - Lighting for evening and night programs

Risk Management

- Steps Cook Children's takes to reduce liability:
 - All events are registered with Safe Kids Worldwide/Buckle Up program
 - Educators are certified child passenger seat technicians, senior checkers and/or instructors
 - Use Safe Kids Tarrant County checklist forms (validated)
 - Establish a "safe-zone" at all events with specific traffic flow and checkpoints
 - Parent/caregiver signs agreement and release of liability form
 - Direct observation of parent installation of all seats and double check of all seats by senior checker or instructor

CookChildren's

Risk Management

- Include Risk Management early in the planning stages
- Identify system weaknesses and establish action plans (FMECA)
- Risk interfaces with legal counsel for advice
- Administration and Board buy-in (aware of risks and accepts those risks)

references

- D. Marks et al, *Just Culture Outcomes Engineering, LLC*
- G. Head, S Horn, *Essentials of Risk Management*
- A. Gawande, *The Checklist Manifesto*
- M George, et al, *Lean Six Sigma Pocket Toolbook*



“If a disease were killing our children at the rate unintentional injuries are, the public would be outraged and demand that this killer be stopped.”

C. Everett Koop, M.D., Sc.D., former US Surgeon General

CookChildren's

