

**Joint Commission on Accreditation
of Health Care Organizations**

“Patients and, when appropriate, their families are informed about the outcomes of care, treatment, and services, including unanticipated outcomes.” *2004 Standards Manual*

**American Medical Association
“Code of Medical Ethics”**

“It is a fundamental ethical requirement that a physician should at all times deal honestly and openly with patients...Concern regarding legal liability which might result following truthful disclosure should not affect the physician’s honesty with a patient.”
2000 – 2001 Edition

**American College of Physicians
“Ethics Manual”**

“In addition, physicians should disclose to patients information about procedural or judgment errors made in the course of care if such information is material to the patient’s well-being. Errors do not necessarily constitute improper, negligent, or unethical behavior, but failure to disclose them may.”
Fourth Edition

**American Nurses Association
“Code of Ethics”**

“In addition, when errors do occur, nurses are expected to follow institutional guidelines in reporting errors committed or observed to the appropriate supervisory personnel and for assuring responsible disclosure of errors to patients. Under no circumstances should the nurse participate in, or condone through silence, either an attempt to hide an error or a punitive response that serves only to fix blame rather than correct the conditions that led to the error.”

Disclosure of Unanticipated Medical Outcomes

Guidelines for Health Care Professionals



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Disclosure at Advocate Lutheran General Hospital

At Advocate Lutheran General Hospital, patients' health and safety are our highest priorities. When patients experience the best possible care with the best possible outcomes, we have fulfilled our mission. When patients experience an unanticipated outcome, which may or may not be due to medical error, their continuing confidence in our ability to care for them depends on clear and honest communication.

Disclosure Committee and Support Team

Lutheran General has an interdisciplinary committee and support team that can assist all healthcare professionals in facilitating complete disclosure and blameless reporting of unanticipated outcomes and patient safety events in a way that fulfills the values of Advocate Health Care.

Importance and Benefits of Disclosure

- It is the right thing to do!
- Patients and families want and deserve it.
- It promotes healing for patients, families and caregivers.
- Professional standards require it.
- It is consistent with Advocate's mission, values and philosophy.
- It may reduce litigation and/or mitigate its outcomes.

What Should be Disclosed?

- Unanticipated outcomes that differ significantly from the anticipated results of a treatment or procedure previously discussed with the patients during the informed consent process
- Medical errors that result in actual patient harm and are of clinical significance
- Unanticipated safety events that did not cause actual harm but may be of clinical significance in the future
- Steps that have been or will be taken to prevent similar events from occurring in the future

Preparations for Disclosure

1. Report variations from expected outcomes to Risk Management at Ext. 21-7026.
2. Consider a consultation with a Disclosure Support Team member.
3. Gather all pertinent information surrounding the event.
4. Determine the correct person(s) to be involved in the disclosure. In general the attending physician, physicians directly involved in the event, nursing and hospital administration should be consulted or involved.
5. Select a private setting for the disclosure.

Suggestions for Effective Disclosure

- Be proactive in preparing for disclosure. Don't wait for the patient or family to ask or find out from another source.
- The identified disclosure(s) should give a clear explanation only of the known facts of the event. Give additional information as it becomes known.
- Use common language, not medical jargon.
- Factually document in the medical record what has been disclosed.
- Accept that there is or may be a relationship between your actions and an unintended outcome. Don't blame or point fingers at others.
- Express your own feelings of sorrow or regret.
- Outline a plan of care to rectify the outcome, if possible. Explain the steps that have been or will be taken to prevent similar events from occurring in the future.
- Be prepared for strong emotions. Give individuals involved ample time to express how they feel without interrupting them. Don't become defensive. Be patient.
- Give the patient or family names of those who can provide social, emotional or spiritual help if desired.

Support for Health Care Professionals Following an Unanticipated Outcome

Advocate Lutheran General Hospital has an interdisciplinary Disclosure Support Team to assist health care professionals in the following ways:

- To help identify the most appropriate person to disclose
- To advise regarding the *do's* and *don'ts* of the disclosure process
- To help health care professionals anticipate patient/family responses to delivered information
- To provide recommendations for disclosure wording
- To provide an empathic response to health care professionals
- To offer suggestions to health care professionals for their self-care