

THE RISK JOURNAL

A PUBLICATION FOR MMRMA MEMBERS

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RISKS IN MEDICAL CARE, PART 1

Series to Focus on Healthcare Exposures, Risk Control Measures

by Cindy King, Director
of Membership Services
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MMRMA PROVIDES coverages and risk mitigation guidance across a wide array of public sector services. While considerable attention is focused on law enforcement and corrections, medical care providers face their own distinct set of challenges and risks.

MMRMA counts among its members nearly 70 medical care providers, including county health departments, community mental health organizations, medical care facilities, and health and wellness centers.

Potential areas of exposure include vehicle operations, property losses, employment claims alleging wrongful termination, harassment, or issues related to benefits. Like all MMRMA members, medical care facilities may become victims of phishing, malware, and ransomware attacks. Lastly, but not least significantly, members providing medical care could be



Healthcare facilities have risks faced by all MMRMA members—such as property losses and data breaches—and risks unique to providing medical care.

deemed liable if a patient is injured while under their care.

Defining healthcare risk management

The *New England Journal of Medicine*, in an online article, "What is Risk Management in Healthcare?" writes that "Healthcare risk management comprises the systems and processes employed to uncover, mitigate, and prevent risk in healthcare institutions."¹

The article defines Healthcare Enterprise Risk Management (ERM) as comprising the "traditional aspects of risk management, including patient safety and medical liability, and expands them with a 'big picture' approach to risk across the organization."

According to the article, ERM for healthcare encompasses eight risk domains:

1. Operational
2. Clinical and patient safety
3. Strategic
4. Financial
5. Human capital
6. Legal and regulatory
7. Technological
8. Environmental and infrastructure hazards.

This is the first in a new *Risk Journal* series that will explore each of these areas of risk faced by our healthcare members. The series will also share risk mitigation practices members can take to reduce the potential for incidents that could be financially costly and result in increased regulatory

oversight, reputational harm, and other unwelcome outcomes.

An evolving risk landscape

Crowe,² an accounting, consulting, and technology firm, identifies patient safety as one of the top risks facing medical care providers in 2022: "Risks include non-compliance with regulatory and industry guidelines and evidence-based practices for patient safety, including environment of care, infection control, and safe handling and movement of patients."

Risk of harm to patients increased during the COVID-19 pandemic as healthcare providers worked in an ever-changing environment for which some had little prior experience.

continued on page 3

¹ <https://catalyst.nejm.org/doi/full/10.1056/CAT.18.0197>

² <https://www.crowe.com/insights/healthcare-connection/top-management-risks-in-healthcare-for-2022>

Governance Model Draws on Member Experience, Commitment

by Michael Bosanac,
Monroe County, and
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of Directors

ONE OF THE ATTRIBUTES often sought when retaining professional services is experience in the relevant discipline. If we need medical care, particularly in a specialty field, we inquire about—and often choose our practitioners—based on their experience.

This vetting assumes that with experience comes the requisite skill, knowledge, education, training, successful track record, and other desirable tools in one's professional toolbox. Accordingly, we conclude that experience is a top priority and apply this litmus test when seeking services.

Leadership and know-how

In this light, MMRMA members can feel confident in the collective know-how of their governing board. In their respective careers, members of the Board of Directors have attained an extraordinary depth and breadth of skills and knowledge in public service and local government.

They have the coveted experience one would seek and expect in the board of such an esteemed and successful public entity risk pool, instilling confidence in their ability to be successful in their governance role.



Strategic decisions made by the Board over the past 42 years have positioned MMRMA for sustained success.

The competence of MMRMA's Board members starts from a foundation of public service to communities all across this state. Board members have wide-ranging experiences from their professional work as mayors, township officials, city managers, county administrators, and elected municipal officials. They call upon these experiences when making decisions on behalf of MMRMA.

Individually and in the aggregate, the Board's experience spans many years of leadership roles in member organizations—and as members of MMRMA and other respected organizations.

Recognizing excellence

As an example, Douglas Johnson was featured in a recent publication of the Michigan Association of Counties (MAC). Doug is in his 42nd year of elected service to MMRMA member Otsego County. When I read about his service record, it got me thinking about the MMRMA board as a whole.

Current MMRMA Board members have a combined 292 years of public service experience.

I already knew that Dick Burke, of founding member the City of Ishpeming, has served on the board since its first organizational meeting in 1980. Did you know that the current directors have 125 years of cumulative MMRMA Board experience? These same individuals have a total of 292 years of public service to their communities!

Dedicated servants

While impressive in its own right, that formidable experience is not the only asset Board members bring to the table while fulfilling their strategic leadership roles. They also consistently demonstrate a commitment to the corresponding responsibilities of the board. They show up and are prepared and engaged, month in and month out.

Each director displays the character expected of leaders

to make decisions solely in the best interests of those they serve. They take this obligation seriously and do not let personal positions or conflicts cloud what is best for MMRMA and member communities.

Sound decision-making

You may have heard the phrase "decisions determine destiny." This is true whether applied to our personal, professional, or organizational lives. The many strategic and impactful decisions made by the Board over MMRMA's 42-year history have proven to be wise ones.

The direct results of those decisions are evident in the many achievements MMRMA has shared with members, such as cumulative net asset deployments of \$465 million (including RAP grant funding). The policies and decisions of the Board, acting on recommendations from the executive team, have delivered unparalleled results and positioned MMRMA for sustained success.

continued on page 4

Managing Healthcare Risks, continued from page 1

In the area of behavioral health, Crowe cites risks related to “missed or incomplete suicide risk screening and mental health assessment, an unsafe environment that is not ligature-resistant, and untimely access or limited availability to services.”

Staffing challenges abound

Unsurprisingly to many of our members who are struggling to fill vacant positions, Crowe also identifies workforce recruitment and retention as a risk, resulting in “decreased quality of care due to provider shortages or use of travel nurses who are less familiar with organizational quality of care and clinical documentation standards.”

In addition, organizations may see a decline in daily oversight and management of operations as senior staff have no recourse but to become increasingly involved in patient care, their primary mission. When operating in a less-than-optimal staffing environment, all employees must understand that their primary responsibilities may sometimes need to take a back seat in order to prioritize patient care.

Cyber risks affect everyone

Medical care providers must also be attentive to cybersecurity exposures. The Crowe article notes: “Lack of mature controls governing cybersecurity continues to be a top risk.



Chronic staffing shortages in medical facilities can lead to a decreased quality of patient care.

The likelihood of an attack causing extended downtime for a healthcare organization has grown at an accelerated rate.”

According to Policy Medical.com,³ “Having the right policies and procedures is the first step to ensuring proper efforts are in place to protect every person that sets foot in your facility. Policies and procedures...act as a guiding light for staff when direction is needed, and of course help with maintaining compliance.”

Policy Medical recommends “technology that supports interoperability [to] access data...to facilitate care of coordination and reduce staff workload.”

Other recommendations include setting up alerts to review operations, updating policies, and communicating

often with staff so problems can be identified and resolved before they worsen and lead to an undesirable outcome.

Legal and regulatory risks

Compliance consulting firm Navex Global has identified several regulatory challenges in healthcare, including HIPAA (Health Insurance Portability and Accountability Act) privacy provisions and data security, noting that “electronic data breaches have become a significant problem in all industries but can prove to be particularly devastating to the healthcare industry.”⁴

Navex also cites compliance requirements, false claims, and labor issues as major risks.

In future issues, this series will delve more deeply into how to address these risk areas and provide practical guidance that could help healthcare members reduce their liability exposure.

MMRMA Grants Can Help Offset Costs

MMRMA offers several standard grants under its Risk Avoidance Program (RAP) and Certification and Accreditation Program (CAP) to help members obtain equipment or services for their risk mitigation efforts.

Standard RAP grants include partial funding for:

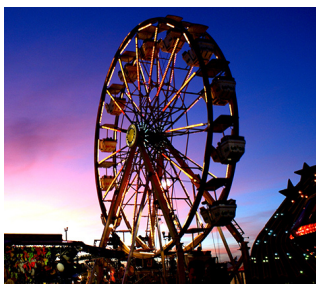
- > Security cameras
- > Assistive lifting devices for patient transfer
- > Stair chairs
- > Passenger vehicle surveillance cameras.

Cybersecurity grants help fund employee training, vulnerability testing, and two-factor authentication.

MMRMA also recently launched its Remediate Emerging Cybersecurity Threats (RECTify) Vulnerabilities Grant to provide immediate funding to offset the costs of mitigating emerging and potentially serious cyber threats.

³ <https://www.policymedical.com/mitigate-risk-in-healthcare/>

⁴ <https://www.navexglobal.com/blog/article/top-10-regulatory-challenges-in-the-healthcare-environment/>



More Michigan fairs are held in August than any other month. At 183 years, Calhoun County has the oldest continuous fair, which opened in the city of Marshall in 1839. Throughout the state, timeless attractions draw crowds to carnival rides, 4-H shows, demolition derbies, and tractor pulls. Some fairs are devoted to local produce, such as potatoes in Munger and cherries in Traverse City.

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Anthony Huey: Overcoming Anxiety about Public Speaking

COMMUNICATIONS EXPERT

Anthony Huey will be back as special guest speaker at the Annual Meeting on Saturday, August 20. Attendees won't want to miss his insights on how to stay cool under pressure when you're on the receiving end of confrontation.



Look at the individual members of your audience. Let them catch a glimpse of your eyes—it makes them feel included and they will listen more closely. Besides, it humanizes an audience for you and therefore, reduces your anxiety and apprehension.

Arrive a bit early and get to know your audience. Even if you cannot chat with everyone in the room beforehand, you will at least feel that you are talking with other fallible humans, and that will put you more at ease.

Deep breathing. About five minutes before speaking take in a very deep breath, then exhale slowly as you let all your muscles relax. Try doing it while standing. Caution: If you do this more than twice you could hyperventilate and pass out!

Minor exercising. Go out in the hall and speed-walk for a few minutes. Exercise your legs and arms at the table while awaiting your turn. Get rid of that excess adrenaline.

Here are a few of his tips to help make you a better communicator:

The messenger is as important as the message. Most presenters spend about 80% of their preparation time on the content, and only 20% on practicing the delivery. It should be 50–50.

Speak publicly whenever the occasion arises. Practice on small audiences (Toastmasters, small groups of employees) first and work your way up to larger ones. The best practice is in front of a video camera.

Credibility is critical. Your audience will scan every personal detail about you for clues of your character and temperament. Eyes, gestures and even posture will be included in their judgment.

Excerpted from an article published on Mr. Huey's website. For the full article, see <https://communicateclearly.com/?p=7456>.

Excellence in Governance, continued from page 2

This year's Annual Meeting theme is Stronger Together. Today, MMRMA is stronger than ever, in part due to the governing board's commitment to a member-driven ideal. This concept also applies to the experience within our many standing and advisory committees. We see every day how the organization truly benefits from the skills, education, talent, and passion of every member employee who gives of their time to serve on the Board and committees.

Paving the way forward
MMRMA's governance model is unique in leveraging the



vast pool of expertise of member experts across our state. Together we have a successful track record of solving the most daunting risk management challenges.

We are ever mindful of the changes that are taking place in member organizations, including succession. A continuous changing of the guard is happening as long-

time public servants retire and hand off their roles to incoming member officials.

Succession planning has long been one of the Board and MMRMA's key strategic priorities for success, and we look forward to welcoming new faces at MMRMA as Member Representatives, department heads, and employees—and as future Board and committee members.

That is what public entity pooling is about: being stronger—and smarter—together. Thanks to every member for being a part of MMRMA's strength.