



# Risk Prone Moments



Risk	What a Plaintiff Attorney May Do with this Information	How to Protect the Facility
Failing to collect all information	Failure to verify essential information could result in a claim of negligence.	Utilize a checklist to avoid missing something. See sample checklist in this toolkit.
Not addressing gaps in employment history or cutting corners in the credentialing process	Plaintiff attorneys will use information such as this against a hospital in a claim.	Ensure all information required is collected (use a checklist), all gaps or questionable information is clarified, and that adequate time is spent evaluating the file by all parties.
References	See the Kadlec v. Lakeview Anesthesia Associates United States District Court for the Eastern District of Louisiana 2005 WL 1309153 (2005) case as an example.	The medical staff office should request references to complete a specific form that prompts them to provide the information that is important to the applicants consideration
Failing to conduct and document FPPE for newly appointed medical staff members	Plaintiff attorney may allege that despite an otherwise satisfactory appointment process, the new practitioner was not actually competent which ultimately resulted in harm to the client. The attorney can claim that had the FPPE process been completed satisfactorily the hospital could have identified this fact and taken action to restrict the granted privileges.	It is important to not only collect performance data but to also designate a leader or committee to evaluate the data and attest that it adequately demonstrates competence.
Failing to conduct and document OPPE for renewal of privileges	Similar to the above in that the plaintiff attorney can allege the practitioner was not competent and the hospital did not evaluate his/her competence at reappointment.	Perform a robust OPPE evaluation of practitioners at reappointment and designate a leader or committee to evaluate the data and attest that it adequately demonstrates competence.
Failing to collect routine credentialing information on an ongoing basis	Plaintiff attorney's use this type of information to discredit the credentialing process at the facility.	Use of a checklist can be helpful in this process as well as enrollment in the NPDB's Continuous Query program to ensure important information is collected in-between reappointment.



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