

Can Digital Health Tools Lower The Risk Of Malpractice Lawsuits?



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Based on evidence that a breakdown in communication between doctor and patient plays a role in malpractice suits, a small Oakland, Calif.-based medical liability insurer is embarking on an intriguing experiment.

In what appears to be the first project of its kind, MIEC plans to encourage orthopedic surgeons to use a communication tool made by HealthLoop that allows physicians to check in with their patients on a daily basis following surgery. “We are exploring the proposition that improved communication will result in fewer claims,” says Andy Firth, president of MIEC.

Studies show that doctors with the highest number of lawsuits were more likely to have patients who were unhappy about not having their phone calls returned. They felt ignored, rushed, and uncertain about their treatment plan.

According to the Physician Insurers Association of America, orthopedic surgery has one of the highest indemnities. MIEC closes up to 100 orthopedic claims annually, spending nearly 2% of its premium revenue defending them.

The company is offering HealthLoop to some 60 policy holders who are orthopedic surgeons, and subsidizing its cost over 18 months. A patient who undergoes arthroscopic knee surgery, for example, receives an automated phone call, email, or text message daily to access a link online. A series of questions and educational tips pop up, such as “elevate your leg 2 to 3 times a day for 30 minutes.” Patients can also report symptoms, such as fever, which prompts a call from the surgeon’s office. “The key thing is documentation,” says Firth, who estimates it will take two years to evaluate the impact of the service.

“Patients don’t expect a perfect outcome, but they expect great service,” says Todd Johnson, HealthLoop’s chief executive.

It’s hard to sue a caring doctor.