

## GUEST COLUMN: Health Care Staffing Shortages Make Big Impact on Liability and Workers' Compensation Risks

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It's no secret that staffing shortages within health care systems and hospitals are at an alarming level. While this issue is causing a variety of concerns, let's take a look at today's increased liability and workers' compensation risks. Nurses and other non-physician employees are experiencing an increased level of exposure to these liabilities, and it's crucial that health care organizations understand the potential consequences and how they can mitigate negative outcomes.

Within the nursing profession, workers' compensation hazards are at a threat of increasing if not properly addressed and monitored within an organization. Some of the major areas of claims include overexertion, repetitive motion, patient lifting or repositioning, violent patients, and mental anguish.

### **Risk Managers**

One of the key elements to a safe environment for patients and health care providers alike is empowering risk managers. Risk managers should be a key part of operations and should be closely involved with the staff, medical directors and executives. Risk managers can be instrumental in monitoring national standards of care and adhering to defined policy and culture, which will help alleviate some of the conundrums faced between focus on appropriate patient care vs. need for financial profitability.

The efforts of a risk manager will help decrease the potential risk of staff members inadvertently breaching care guidelines. Resources and systems can be implemented to help avoid insurance claims related to directors' & officers' liability, employment practices liability, or professional liability issues.

### **Risk managers can assist health care organizations with:**

- Instructing staff and providing resources to help them follow safe patient handling procedures, including the use of mechanical lifts when appropriate.
- Training staff to follow procedures to communicate concerns of unruly patients. Verbally and sometimes physically violent patients have always been an issue, but the frequency of the problem increased during the pandemic.
- Developing standards to address short-staffing and burnout and follow proper protocol to assist staff. The psychological and mental anguish these issues cause continues to rise. Not only does an unhealthy work/life balance impact care, staff retention, and workers' compensation claims, but many dedicated nurses may avoid taking time-off for fear of burdening colleagues.
- Building a culture of teamwork that's embraced at all levels. This is a key element to reducing habits that lead to skipping proper routines, rushing, and performing repetitive motions over time.

### **Key Takeaways**

The patient population need for care and services is not decreasing even though we're dealing with a depleted staff of nurses and non-physician roles. This can cause serious liability risk for staff and danger for patients. One of the best ways to avoid these outcomes is working with a risk manager to identify risks and solutions, develop procedures for necessary training to each job function, and help build a culture of engagement and feedback from all levels of care.

Recognizing these issues and continuing to make them a key priority within the organization is essential. To learn more about the risks and potential solutions, M3 Insurance is available for discussion and to help advise on resources.

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