

FEDERAL TORT CLAIMS ACT UNIVERSITY CONFERENCE

July 19-20, 2018

Myrtle Beach, South Carolina

The Federal Tort Claims Act University (FTCAU): An innovative training conference offered to members of the health center community. FTCAU provides a great opportunity for seasoned quality and risk management professionals and new professionals to learn from experts, leaders, and government officials about FTCA, healthcare quality and risk management, and related subjects. Over the course of two days, attendees will participate in interactive presentations and exercises that are specially geared toward health center grantees in the southeast and surrounding states.

Day 1

8:00am – 9:00am

Registration & Continental Breakfast

9:00am - 9:15am

Opening Remarks

9:15am - 10:45am

FTCA 2.0

10:45am - 11:00am

Break

11:00am - 12:00pm

Opioid Epidemic: The Role of Primary Health Care and Health Centers

12:00pm - 1:00pm

Lunch

1:00pm - 2:00pm

Emergency Preparedness

2:00pm - 2:15pm

Break

2:15pm - 3:15pm

EHRs and eDiscovery

3:15pm – 3:30pm

Questions & Answers / Closing Remarks

Day 2

8:00am - 8:30am

Continental Breakfast

8:30am - 9:30am

Risk Management 101: Foundations in Clinical Risk Management & Patient Safety

9:30am – 9:45am

Break

9:45am – 10:45am

Claims Management

10:45am – 11:45am

Primary Care Case Alert

11:45am – 12:45pm

Lunch

12:45pm – 1:45pm

Behavioral Health in Primary Care

1:45pm - 2:00 pm

Break

2:00pm - 3:00pm

Employee Communication & Satisfaction

3:00pm – 3:30pm

Questions & Answers

3:30pm – 3:45pm

Closing remarks

Enroll In FTCAU Today!

If you are a health center grantee in South Carolina and surrounding states, enroll to learn from experts in their fields. FTCAU will offer an interactive learning environment on the following topics:

- ✓ FTCA
- ✓ Healthcare Quality
- ✓ Risk Management
- ✓ Claims Management
- ✓ Patient Safety

Who Should Attend?

- Quality Improvement Coordinators
- Risk Managers
- Patient Safety
- Administrators
- Clinicians
- Board Members

*Questions? Contact
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CGMP*

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*Agenda is subject to change



Federal Tort Claims Act University Agenda
July 19-20, 2018 Myrtle Beach, South Carolina
Day 1

8:00 am - 9:00 am **Registration & Continental breakfast**

9:00 am - 9:15 am **Opening Remarks**

9:15 am - 10:45 am **Session: FTCA 2.0: Basic Policy and Program Procedures**

Speaker: Christopher Gibbs, JD, MPH

Summary: This session will discuss in depth the Federal Tort Claims Medical Malpractice Act (FTCA) of 1946. Under Section 224 of the Public Health Service Act, as amended by the Federally Supported Health Centers Assistance Act of 1992 and 1995, employees of eligible health centers are deemed federal employees qualified for protection under the FTCA program. Discussion will focus on how FTCA program requirements align with the new Compliance Manual; FTCA program overview; site visits and the application process; and information on covered individuals under the Federal Tort Claims Act.

10:45 am - 11:00 am **Break**

11:00 am - 12:00 pm **Session: Opioid Epidemic: The Role of Primary Health Care and Health Centers**

Speaker: Nancy Napolitano, BS, PCHA

Summary: How we have approached the different types of pain has not been ideal. In some cases, we have created more problems with how we address pain. Now we have a massive epidemic in this country in which both prescribers and patients are being asked to change their behavior. This reactive response, while appropriate at a certain level, causes profound problems for both the provider and the patient. This presentation will highlight the various evidence-based approaches to pain, discuss the current trends around morbidity and mortality, and offer an outline for creating a more comprehensive strategy, built off the need for resilience, for pain in our nation.

12:00 pm - 1:00 pm **Lunch**

1:00 pm - 2:00 pm **Session: Emergency Preparedness**

Speaker: Tener Goodwin Veenema, RN, PhD, MPH, FNAP, FAAN

Summary: This presentation will provide nurses and other health care providers working in community health centers with the knowledge, skills and a heightened awareness of preparedness and response strategies along with the foundational concepts underlying disaster preparedness. Recent and ongoing natural disasters and public health emergency events resulting from acts of terrorism, influenza and emerging highly infectious disease as well as potential chemical, biological and radiological emergencies will be discussed. Content will focus on understanding individual health care provider roles and responsibilities within our existing emergency response systems, with a focus on current requirements for emergency preparedness including redundant communications, situational awareness, disaster operations and logistics, and education and training for workforce development.

2:00 pm - 2:15 pm **Break**

2:15 pm - 3:15 pm **Session: EHRs and eDiscovery**

Speaker(s): Edward Carbone, Esq. and Jacqueline Root, Esq.

Summary: This presentation will include key lessons learned from real cases and interesting hypotheticals to demonstrate the risks of various charting practices and electronic medical records, discussion of the discovery and litigation impact of audit trails, and identification of best practices to minimize the risk posed by a facility's or provider's own documentation.

3:15 pm - 3:30 pm **Questions & Answers/ Closing Remarks**



Federal Tort Claims Act University Agenda
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Day 2

8:00 am – 8:30 am **Sign in & Continental Breakfast**

8:30 am – 9:30 am **Session: Risk Management 101: Foundations in Clinical Risk Management & Safety**

Speaker: Cara Wzorek, MA, CPASRM, MWC

Summary: This session will provide attendees who are new to the field or as a refresher for seasoned risk managers on topics such as conducting risk assessments, ensuring that all health center staff receive risk management training, and reporting risk management information to the board. Sample tools, resources, and dashboards will be provided.

9:30 am – 9:45 am **Break**

9:45 am – 10:45 am **Session: Claims Management**

Speaker: Daretia M. Hawkins, Esq., Office of the General Counsel (OGC)

Summary: A Department of Justice representative will provide an overview of the uniform procedure for handling claims against Federally Qualified Health Centers. This informative session will enhance knowledge of the Federal Tort Claims Process for Deemed Funded Health Centers. Topics covered will include an overview of claim filings, required documents for premature lawsuits, claims disposition, and other considerations within the litigation process.

10:45 am – 11:45 am **Session: Primary Health Care: Case Alert**

Speaker: David A. Levin, Esq.

Summary: This session will focus on why patients file malpractice suits, what type of claims patients file, and how to improve medical practice to lessen the chances of being involved in a lawsuit. Patterns and trends in high payout claims for OB and other specialties will be discussed, along with actions the health center can implement to prevent recurrence and enable a stronger case in the event of a claim.

11:45 am – 12:45 pm **Lunch**

12:45 pm – 1:45 pm **Session: Behavioral Health in Primary Care**

Speaker: Nancy Napolitano, BS, PCHA

Summary: This presentation will focus on the prevalence of behavioral health conditions in all age groups, and will cover barriers to behavioral health safety in the primary care setting; ways in which early and ongoing risk assessment can heighten awareness of substance use or behavioral health risks for all age groups; the role stigma plays in behavioral health treatment; and the manner in which perceptions and management of behavioral health patients can impact violent behavior.

1:45 pm – 2:00 pm **Break**

2:00 pm - 3:00 pm **Session: Employee Communication & Satisfaction: Key Ingredients for Providing Safe Care and Minimizing Malpractice Risk**

Speaker: Christine Callahan, RN, MBA

Summary: Research indicates that “engagement” of health care employees and their work environments and colleagues increases their own sense of well-being and improves patient safety and satisfaction measures. The interactive scenarios in this presentation will be used to explore how quality of communication and collaboration among staff can impact issues such as employee absenteeism, which in turn can directly affect delivery of patient care, and litigation risk. Strategies for encouraging good communication practices and keeping staff engaged will be covered.

3:00 pm - 3:30 pm **Survey / Question & Answer**

3:30 pm – 3:45 pm **Closing Remarks**



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SPEAKER BIOGRAPHIES



Christopher Gibbs, JD, MPH

Christopher Gibbs attended Cornell University, where he majored in Human Development with a focus on Psychopathology. He attended Yale University, where he received a Master of Public Health in Health Policy and Administration. He also attended the University of Wisconsin School of Law and focused on International Negotiations. Chris has completed externships in dental, thoracic surgery, maxillofacial surgery, and psychiatrics at various hospitals in New York City, such as Cornell Medical and Mount Sinai Hospitals. He clerked for the Wisconsin Supreme Court, acted as advisor to Wisconsin State Senator Lena C. Tayler and was a legal advisor at the Wisconsin Aids Network. Christopher has worked with HRSA for 8 years, and has acted as an Analyst, Senior Analyst, and is currently the Team lead of the FTCA Deeming and compliance



Nancy Napolitano, BS,
PCHA

Nancy Napolitano joined ECRI Institute as Patient Safety Consultant in August 2015. Ms. Napolitano comes to ECRI with over 35 years of behavioral health experience in successful programming and collaboration for overall patient safety and satisfaction. Prior to joining ECRI, she worked for 15 years managing inpatient and outpatient adult/geriatric psychiatric, co-occurring disorder programs within acute care hospitals in suburban Philadelphia. As a Senior Program Director, Ms. Napolitano served on many patient and employee hospital safety committees. As the behavioral director within those organizations, she had the ability to implement positive changes on the behavioral health and medical floors to treat co-morbid conditions. Ms. Napolitano served as a master trainer for staff on violence prevention and de-escalation techniques to reduce patient and staff harm throughout the organizations. In 2014, she received her Personal Care Home Administrator's Certificate to focus on the aging population.



Tener Veenema, PhD
MPH, MS, RN, FAAN

Associate Professor of Nursing and Public Health at the Johns Hopkins School of Nursing and the Johns Hopkins Bloomberg School of Public Health. She holds master's degrees in nursing administration, pediatrics, and public health, and a PhD in health services research and policy. As an internationally recognized expert in disaster nursing and public health emergency preparedness, she has served as senior scientist to the DHHS Office of Human Services Emergency Preparedness and Response (OHSEPR), DHS, FEMA and the Veterans Affairs Emergency Management Evaluation Center (VEMEC). An accomplished researcher, Dr. Veenema is a member of the American Red Cross National Scientific Advisory Board and is an elected Fellow in the American Academy of Nursing, the National Academies of Practice, and the Royal College of Surgeons, Dublin, Ireland. She is editor of *Disaster Nursing and Emergency Preparedness for Chemical, Biological and Radiological Terrorism and Other Hazards*, 4th Ed., the leading textbook in the field and developer of *Disaster Nursing*, an innovative technology application



Cara Wzorek, MA,
CPASRM, MWC

Cara Wzorek is program manager for ambulatory risk management services at ECRI Institute and editor of the *Physician Practice Risk Management System*. She has been with ECRI Institute's Patient Safety, Risk, and Quality team for more than 13 years, the last six of which have been working with programs in support of health centers and free clinics on behalf of HRSA. As part of that program, Ms. Wzorek leads development of ECRI Institute's webinars, toolkits, guidance documents, and outreach to federally qualified health centers, providing evidence-based recommendations for improving patient safety and reducing risk to providers in FQHCs. She has written and spoken on a wide variety of topics, ranging from test tracking and follow-up to drug diversion and workplace violence prevention. Ms. Wzorek holds a Master's degree from Temple University (Philadelphia, PA); she is also a certified professional in aging services risk management (CPASRM) and medical writer certified™ (MWC).

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SPEAKER BIOGRAPHIES



Edward Carbone, Esq.



Jacqueline Root, Esq.

Ed Carbone is a medical malpractice attorney and the Partner-in-Charge of the ROIG Lawyers Healthcare team. He is AV Preeminent rated, and is consistently recognized by Best Lawyers and Super Lawyers. Ed is a member of the Florida Society for Healthcare Risk Management and Patient Safety (FSHRMPS) Advocacy Committee and the ASHRM Journal Editorial Board. He is also a member of the Board of Directors and board liaison to the Professional Liability Committee of the Florida Defense Lawyers Association (FDLA).

Jacqueline Root is also a medical malpractice and healthcare attorney at ROIG Lawyers. She is the chair of the FSHRMPS Communications Committee, and Editor of the RiskNet Online Journal. She also chairs the FDLA CLE Committee. Jacqueline has been selected as a Super Lawyers Rising Star since 2014.

Ed and Jacqueline represent healthcare facilities and providers in medical malpractice and other health care litigation at the trial and appellate levels. They have significant experience handling birth injury claims and an array of complex high-acuity cases. Ed and Jacqueline also advise healthcare providers and facilities on how to proactively manage their risks to reduce the frequency and severity of claims.



David Levin, Esq.

David Levin is a founding member of Wharton Levin Ehrmantraut & Klein, P.A. He has extensive expertise in complex medical cases and is the lead counsel for the major medical malpractice insurer in the State of Maryland. Mr. Levin has tried over 250 cases to verdict. Mr. Levin also has represented many of the major hospitals based in Maryland and District of Columbia, and has been counsel to Holy Cross Hospital, a division of Trinity Health, for over 30 years. Mr. Levin is a past president of the Maryland Chapter of the American Board of Trial Advocates and has been a Fellow of the American College of Trial Lawyers. He has been selected by his peers to be listed in the Best Lawyers in America since 1995, and has been voted one of the top 50 attorneys in Maryland by Super Lawyers every year since 2007.



Christine Callahan, RN,
MBA

Christine Callahan has worked with ECRI Institute for more than 15 years, most recently in a consultant capacity to ECRI's risk management, quality, and patient safety programs. Over the past few years, Ms. Callahan has developed and presented webinars for HRSA grantees on test tracking and follow-up, managing short-term disruptions in care, and patient triage and she has reviewed risk management toolkits and other materials for dissemination on the Clinical Risk Management Program website. She has over 25 years of experience in health center daily operations for both primary care and specialty providers. Ms. Callahan's past work experience includes Assistant Director of Operations in a federally qualified health center in the New England area and Director of Ambulatory Nursing for a large managed care organization in southern California serving 100,000 members in 17 health centers. More recently Ms. Callahan works performing organizational assessments at both clinics and health centers where she targets areas where staff can improve operational efficiency, clinical, and risk management issues at the frontline level.

Daretia M. Hawkins, Esq.

Ms. Hawkins is an Assistant Deputy Associate General Counsel in the FTCA Division of the HHS OGC General Law Division. She is a graduate of the University of Maryland School of Law and University of Notre Dame. Following law school, she clerked for the Maryland Court of Special Appeals and held various public and private sector positions, handling criminal matters, personal injury, medical malpractice, products liability, labor and employment, and contract cases. Ms. Hawkins joined the General Law Division in 2003 where she has successfully defended many FTCA and Constitutional claims and lawsuits.