

HSCC 330 Legal and Legislative Aspects of Health Care

Liability

HSCC 330 Liability 1

Objectives

- Upon completion of this section, the student should be able to:
 - recognize liabilities in EMS
 - define issues that have sparked an increase in lawsuits in EMS
 - recognize why patients sue
 - understand the role of negligence in liability
 - recognize instructor liability

HSCC 330 Liability 2

Liability

- Law is dynamic
- Responsibility to public
- Every facet of EMS has inherent risks

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Risks

- Medication errors
- Stretcher handling
- Confidentiality
- Vehicle operations/driver qualifications
- Equipment failure/supplies
- Response time delays
- Negligent training
- Documentation

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Issues in EMS Contributing to Lawsuits

- National increase in litigation???
- Greater attorney awareness?
- Increase in public knowledge
- Media exposure
- Technological Advancements
- Increased training requirements
- Scope of practice expansion

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Reasons Why Patients Sue

- Unrealistic expectations
- Poor rapport/communication
- Greed
- Poor quality of care
- Poor outcome
- Failure to keep family informed

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Negligence

- Duty to act/Standard of Care
- Breach of Duty
- Causation of Injury
- Proximate Cause/Damages

Other Issues of Liability

- Response
- Quality of Care
- Vehicle Operations
- Equipment and supplies
- Miscellaneous

Instructor Liability

- Potential for liability:
 - student discrimination
 - students injured in laboratory
 - claims by patients
- Follow curricula
- Maintain records for 3 years

Standards of Care & Safety

- Competent, courteous, compassionate health care
- Know and follow standards of care
- Maintain accurate files
- Check medications
- Avoid criticism
- Stay current in training

Communication

- Listening skills and non-verbal techniques
- Explain treatments
- Tact, good judgment, professionalism
- Refrain from certain statements

In conclusion. . .