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Just Like We Learned in Kindergarten: Tell the Truth and Accept Responsibility



By [Catherine Bertram](#)

There was an interesting [article](#) in the New York Times recently that seems to suggest that doctors and hospitals would be more forthcoming about errors in the delivery of health care that injure patients if only they were fully protected from the consequence of their errors. That is not the right answer and we all know it. The answer is just what our parents and teachers taught us in kindergarten. Tell the truth and accept the consequences. No profession in our country is held to any lesser standard, nor should they be.

As a former risk manager at a major teaching hospital, I can tell you first hand that admitting errors and working toward resolution with patients and their families is not only the ethical thing to do, but it is the only way to honor the doctors and nurses as well. Doctors and nurses come to work every day to help people but they are human and they make mistakes. They feel horrible when an error occurs and they deserve support and resolution. Disclosure is hard to do but in my experience, in the end, it is the only way to help both the family and health care provider heal. Truth and transparency followed by support is critical.

The article cites several examples of hospitals who have made a commitment to tell the truth and accept responsibility and the outcomes have been overwhelmingly positive. Of course. The key question is when an error occurs is the health care team supported by the entity or not? When proper support is provided the patient and the health care worker are both honored but that requires full disclosure AND acceptance of responsibility for the consequences. Saying you are sorry is great, but only if the institution takes the next step and everyone has closure. Otherwise, who pays for the consequences of the error? If there is a cover up, or disclosure without acceptance of responsibility for the harm, the patient is still injured and often is facing a lifetime of care costs and no ability to work. There is no resolution in that scenario for anyone. The health care worker has to live with that burden in silence. We all pay when there is no

acceptance of responsibility. We pay with higher health insurance premiums and higher taxes for those patients who have medicare/medicaid or who lose their coverage.

The focus must be on prevent errors and supporting both the health care workers and patients when errors occur. Not on saving the insurance companies money by hiding a legitimate claim. It is only through truth and demanding transparency that the system will ever become safer. We have the airline industry as a perfect example. The system of cover up and denial in health care has not worked and never will. We need only look at Texas as a recent example. The legislature put a strict damages cap in place effectively ending a patient's right to a civil remedy for malpractice in that state. The number of annual complaints against doctors almost tripled. Texas health care is not safer, doctors making errors are not being supported and the patients are still being injured.

Honesty and accountability work.

About the author:

[Catherine Bertram](#) is board certified in civil trials and was recently nominated as a 2010 Super Lawyer for Washington, D.C. Ms. Bertram has 20 years of trial [experience](#) and is unique in that she was formerly the Director of Risk Management for Georgetown University Hospital so she brings a wealth of knowledge to her practice including how hospitals should be run and what doctors and nurses can do to protect patients. She is a partner with the firm and devotes [her practice](#) to the representation of patients and families of loved ones who have been injured or lost due to medical errors. Ms. Bertram lectures regularly to lawyers and health care providers, nationally and locally, regarding patient safety, medical negligence and other related issues. She has also recently published a chapter in a medical textbook. She can be reached by email at cbertram@reganfirm.com or by phone 202-822-1875 in her office in Washington, D.C.