

HOW TO PREVENT AND SURVIVE A LAWSUIT
FOR THE EMERGENCY MEDICINE PHYSICIAN

I. HOW TO PREVENT A LAWSUIT

A. THE NATURE OF THE E.D.

1. Limited nature of the relationship
2. Patient's expectations
3. Minor care clinic vs. Emergency room

B. DOCUMENTATION

1. Lack of documentation
2. Addendums and changes to records
3. Review of other records
4. Discharge instructions

C. DIFFERENTIAL DIAGNOSIS

1. Common misdiagnoses

D. SHIFT CHANGES AND DISPOSITION PROBLEMS

1. Report from outgoing Physician
2. Continuity of care

E. "COURTESY ORDERS" FOR ADMISSION

1. Whose orders are they?
2. Who is responsible for the patient?

F. CONSULTATION VS. DISCHARGE

1. Consultations in the E.D.
2. The "Lingering" Patient

G. LABS AND THEIR SIGNIFICANCE

H. PROBLEMS WITH RADIOLOGICAL STUDIES

II. HOW TO SURVIVE A LAWSUIT

A. NOTICE OF SUIT AND SUIT

B. FIVE STAGES OF GRIEF

C. DEPOSITION PREPARATION AND TESTIMONY

D. MEDIATION PREPARATION

E. TRIAL PREPARATION AND TESTIMONY