The GAPP Program

Bridging the Gap between Patients and Providers
MPIE is committed to delivering the best coverage, service, and value in the industry.

GIVING ASSISTANCE TO PATIENTS AND PROVIDERS
Program Overview

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Emerging evidence indicates that most patients will NOT sue if there was honest communication about how an injury or complication occurred. Failing to properly communicate and disclose is very damaging to the physician-patient relationship and may result in that patient bringing suit to ensure they find out the “truth” regarding their care.

Following a medical/surgical injury or complication honest, open communication and a commitment to make things right are at the core of patients’ expectations. The more your actions conform to these expectations, the more satisfied the patient will be and it is less likely he or she will instigate a punitive action—whether that’s choosing another physician or filing a lawsuit.

GAPP is an innovative opportunity for physicians insured by the Michigan Professional Insurance Exchange (MPIE) to participate in a structured, patient-centered approach for addressing complications associated with medical care while focusing on preserving the physician-patient relationship.

GAPP is an early resolution management program that began in March of 2008. We encourage you to participate by reviewing the program materials and enclosed DVD on Communication and Disclosure, then complete and fax the enrollment form back to MPIE.

GAPP provides support to the physician on how to express empathy to the patient and also provides reimbursement to the patient for costs related to their recovery needs.

GAPP is designed to address the patient’s needs in a supportive, non-adversarial manner allowing the patient to focus on recovery. There is a maximum reimbursement regardless of the circumstances: no “awards” are given and there is no compensation for pain and suffering.

We know that medicine is more of an art and less of a precise science than most patients imagine. Not every patient will respond the way we or they hope. And sometimes, the treatment itself causes a problem. When patients are injured by medical/surgical treatment or experience complications, they want to understand why and have the problem resolved.

Similar programs have demonstrated that early and honest interaction with patients who experience complications relieves much of the anger, frustration, and reduces claims and lawsuits.

I invite you to contact MPIE with any questions regarding this program at 616-202-2288.

Sincerely,

Margaret Curtin, MPA, CPHRM, FASHRM
Director of Risk and Education
WHAT IS THE GAPP PROGRAM?

The GAPP Program is part of MPIE’s continuing quest to improve quality of care, treat patients fairly, and reduce the exposure of its insured physicians to malpractice litigation. However, it is NOT a goal of the program to interfere with any litigation or third-party claim process.

The GAPP Program is separate from your medical professional liability coverage. It is through the GAPP Program that funds are made available to reimburse the patient, subject to the following limits:

- Recognition of loss of time—$120 per day for up to 50 days.
- Reimbursement up to $30,000 of medical expenses not covered by the patient’s insurance.
- Maximum reimbursement is $36,000 per incident.

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- Maximum reimbursement is $36,000 per incident.
The goal is to provide the patient with prompt, attentive care, support, and assistance so the patient’s full focus can be on recovery. The GAPP Program was designed to meet the patient’s needs and resolve patient’s concerns. At the same time, the program assists the physician with managing patient dissatisfaction and/or disclosure. The end result is a greatly enhanced physician-patient relationship and a good environment for the patient’s recovery.

The GAPP Program encourages

Maintaining the physician/patient relationship.

Open/honest communication, including disclosure of an unanticipated event.

Expressions of concern, including an apology, when appropriate.

Meeting the patient’s needs at crucial time.

Reducing litigation expenses.
HOW DOES GAPP WORK?

The participating physician notifies GAPP of a patient who has experienced an unexpected outcome that may delay recovery and/or result in additional out-of-pocket expenses for the patient. If the event qualifies for the program, the physician has a discussion with the patient about the unexpected outcome and the GAPP Program.

The physician-patient discussion includes:

- Listening with empathy and concern to the patient about this unexpected outcome; concerns may include physical/emotional recovery and financial stressors that the occurrence has caused.
- Ascertaining the level of understanding the patient has about the prognosis, recovery, and provide any additional information the patient may need.
- Offering emotional support, encouragement, and apology (if appropriate).
- Referring the patient to the GAPP Program for assistance with out-of-pocket expenses that may be incurred as a result of the unexpected outcome.
**PHYSICIAN RESPONSIBILITIES**

- Call to report an unexpected outcome per MPIE’s usual reporting process.
- Designate yourself as a GAPP participant.
- Be available to discuss the case with MPIE as needed; leave a number where you can be reached.
- Provide MPIE with patient information as requested.
- Continued open and honest communication with the patient to maintain the physician-patient relationship if possible.
- Be committed to working with MPIE to identify and implement any necessary changes to prevent the same type of occurrence with another patient.
- Be willing to attend MPIE’s educational seminars.

**MPIE RESPONSIBILITIES**

- Determine whether an incident meets the criteria of the GAPP Program and advise you of the decision.
- Working with you to determine what changes, if any, are necessary to prevent the occurrence with future patients.
- Coaching your interactions with the patient.
- Explaining to the patient the benefits available through the GAPP Program.
- Determining which of the patient’s expenses are related to the incident and are eligible for reimbursement.
- Coordinating the reimbursement of the patient’s eligible expenses.
- Communicating in a timely fashion with all parties and facilitating, to the extent possible, a satisfactory resolution for all involved.
This script may be used after you have spoken to a GAPP Administrator and been approved to offer the GAPP Program to your patient.

“My Insurance Company has a program to help patients when they have complications associated with (procedure/care/treatment) and even though we didn’t expect this complication to happen, it was a potential complication related to your (procedure/care/treatment). I understand that you have concerns regarding the extra expenses you will incur and this program can possibly assist you. Here is some information on this program and how you can contact the program administrator directly.”

When you report an incident and it qualifies for the GAPP program, a GAPP Administrator will assist you. He or she will discuss how to approach the patient and offer coaching on this interaction.

The purpose is to have open and honest communication that addresses the unexpected outcome and answers the patient’s questions about his or her medical condition.

- Explain the unexpected outcome.
- Express concern, sympathy, empathy, and apology (if appropriate).
- Outline expected short/long-term effects.
- Explain any additional treatment or rehab that may be required.
- If applicable, explain the steps you will take in your practice to ensure that the same type of outcome doesn’t occur in the future.
- Answer any related questions the patient may have.

After discussing the medical issues and expressing concern, the physician may offer the assistance to the patient through the GAPP Program and provide him or her with GAPP contact information and the Patient Information Form included with this folder.
The patient does not sign a release or waiver. Nothing in this program prohibits a patient from taking legal action at any time. A claim is not triggered unless the patient or the patient’s representative makes a written demand for compensation. Reimbursements made from the GAPP Program are not required to be reported to the National Practitioner Data Bank, the Board of Medicine, or the Board of Osteopathy. Potential trends identified from data gathered through the GAPP Program will be used to improve practice, performance, patient safety, and risk reduction.

Can patients still take legal action?
Yes. Nothing in this program prevents a patient from taking legal action. The patient retains, at all times, his or her right to bring a liability claim or suit. Nothing will be asked of the patient—no releases, no waivers, no verbal promises not to bring suit, etc. If a claim or suit does arise, with respect to a patient who has received payments through this program, it will be managed like any other claim and will be subject to normal reporting requirements depending on its outcome.

Are there any outcome exclusions?
Some outcomes are excluded but should still be called in to MPIE:
- Unexpected death.
- Lawsuit/NOI/Claim.
- Attorney involvement.
- Demand letter.
- Patients whose unexpected outcome occurred following treatment for a specific, elective, and non-medically necessary surgery.
- Board of Medicine or Board of Osteopathy Complaint.
- Physician request for a release of liability from the patient.
- No reimbursements are made for pain and suffering.

Is this any different than incident reporting?
In terms of your day-to-day practice, there’s no difference at all. Just as you always have, you will continue to report incidents promptly. The GAPP Program requires your participation in physician-patient interaction(s) as appropriate. You may also need to make changes in your practices so that the medical injury or complication will be less likely to occur again.

Does this affect my personal liability coverage?
The GAPP Program is an early resolution program. Your participation in GAPP does not affect your medical professional liability coverage. Reimbursements made from the GAPP Program are considered “no-fault” payments. They are made without regard to medical liability and there is no investigation regarding the standard of care.

FREQUENTLY ASKED QUESTIONS
IMPORTANT REMINDERS

- Call MPIE as soon as you have identified a patient that may fit into the program at 616.202.2288.
- Do NOT tell the patient about the GAPP Program before discussing it with a GAPP Administrator.
- Do NOT make promises on GAPP’s behalf with regard to reimbursements.

WHEN COMMUNICATING WITH YOUR PATIENT ABOUT THE GAPP PROGRAM

- The physician must speak directly with the patient.
- Do NOT leave a voice mail message.
- Do NOT send a letter or email.
- Do NOT leave a message with a family member.

EXCLUSIONS FROM THE GAPP PROGRAM ARE:

- Unexpected death.
- Lawsuit/NO/Claim.
- Attorney involvement.
- Demand letter.
- Patients whose unexpected potential complication occurred following treatment for a specific, elective, and non-medically necessary plastic surgery.
- Board of Medicine or Board of Osteopathy Complaint.
- Physician request for a release of liability from the patient.

No reimbursements are made for pain and suffering.

BECOME A PARTICIPANT

You are required to attend or review a GAPP Risk Management seminar that focuses on disclosure skill development like the enclosed DVD. You need to sign the Program Enrollment Form and attest to the program review. You can choose to withdraw from the GAPP Program at any time by sending written notification that you wish to discontinue your participation in the program.