



Translational Neuroscience

RACHEL KING

# Mitigation of patient complaints

COMPLAINTS AGAINST DOCTORS ON THE RISE



“Life is not complex,  
we are complex”

— Oscar Wilde



# Brain & social complexity increases

It seems non-coincidental that the prefrontal cortex increased in size and complexity as social systems across primate species also did.

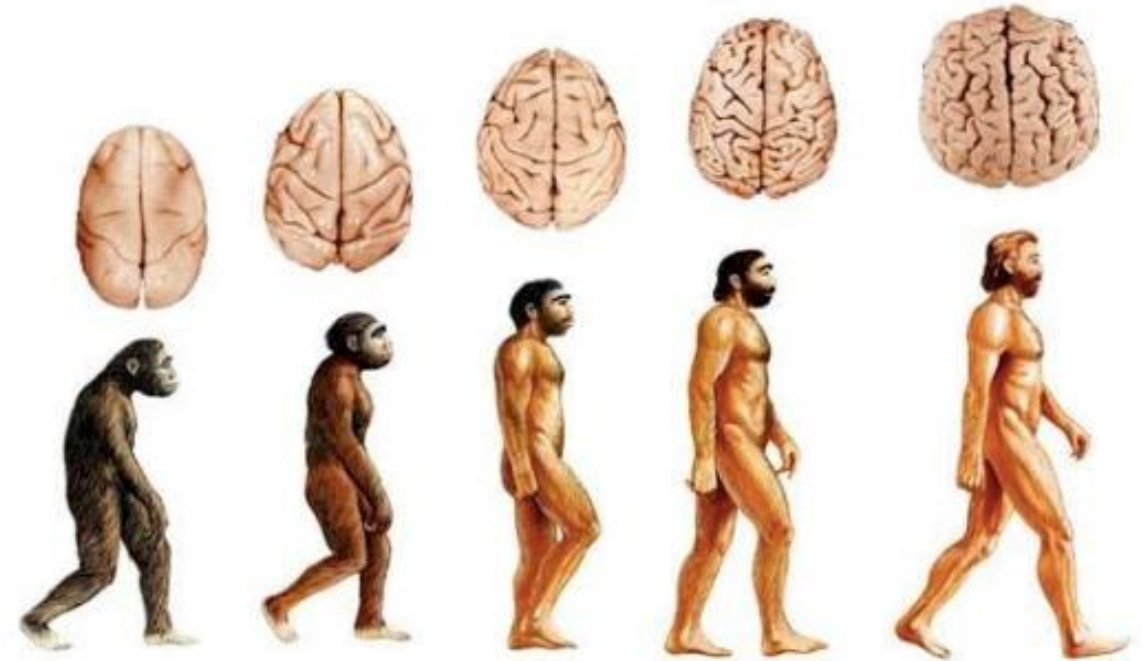
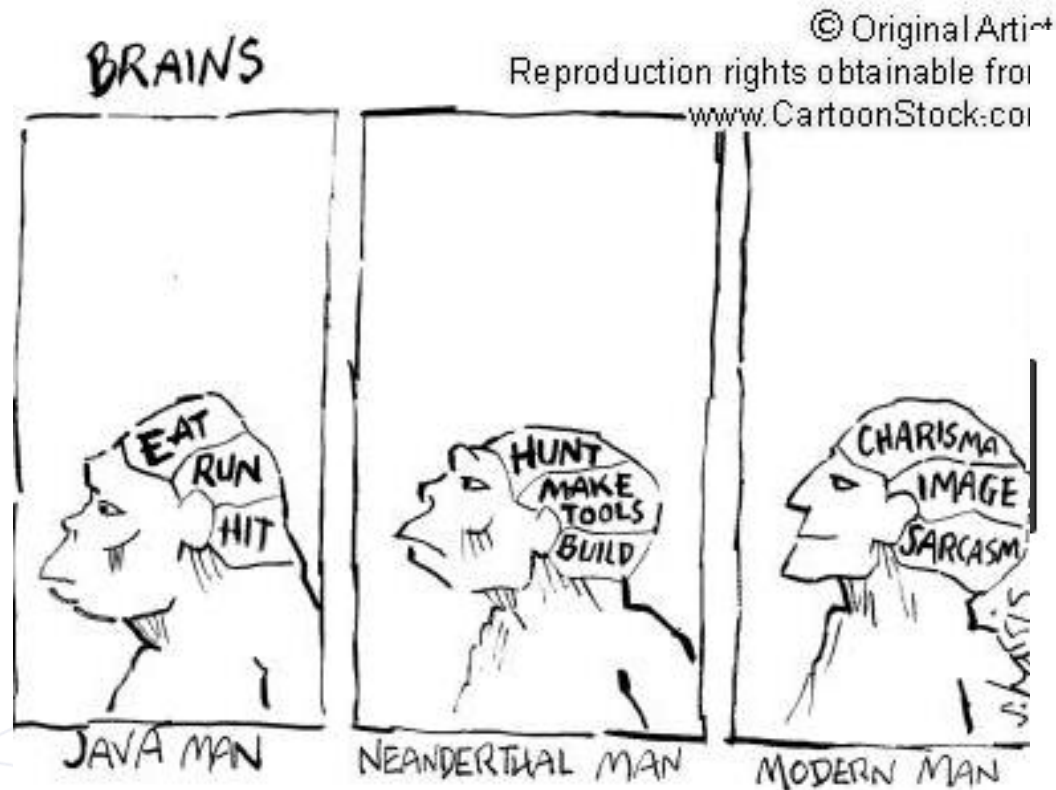
- (Lieberman & Eisenberger, 2009)





# The human brain evolved to function within a matrix of other brains

-Cozolino, L. (2014), The Neuroscience of Human Relationships



# Impulsive/Fast & Smart/slow thinking

Bottom up  
development

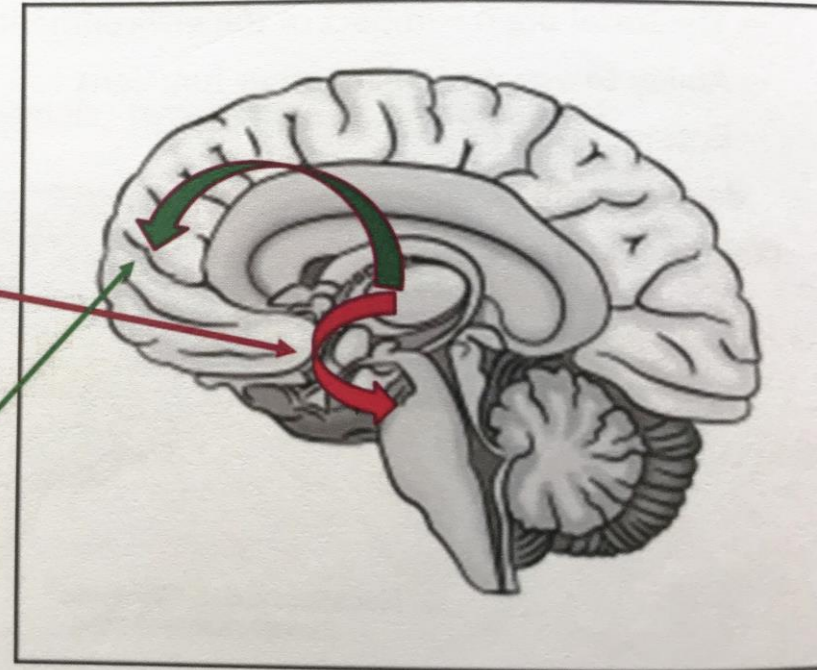
## The brain and development

### Brain development –

- from bottom to top
- from inside out

### Implications

- First things first
  - Survival
- Second activations second
  - Thriving



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Psychological Bulletin  
1992, Vol. 111, No. 2, 256–274

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0033-2909/92/\$3.00

# Thin Slices of Expressive Behavior as Predictors of Interpersonal Consequences: A Meta-Analysis

Nalini Ambady and Robert Rosenthal  
Harvard University



# Quiz: predicting which doctor will get sued

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## Option 1.

- ❖ Examine doctors' training & credentials
- ❖ Analyse their records for past errors

## Option 2.

- ❖ Listen in on very brief snippets of conversation between Dr and patient

# Super thin-slicing

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## Surgical outcomes research

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### Surgeons' tone of voice: A clue to malpractice history

Nalini Ambady, PhD, Debi LaPlante, MA, Thai Nguyen, BA, Robert Rosenthal, PhD,  
Nigel Chaumeton, PhD, and Wendy Levinson, MD, Boston, Mass, Riverside, Calif, and Toronto, Ontario, Canada

***Conclusions.** Surgeons' tone of voice in routine visits is associated with malpractice claims history. This is the first study to show clear associations between communication and malpractice in surgeons. Specific types of affect associated with claims can be judged from brief audio clips, suggesting that this method might be useful in training surgeons. (Surgery 2002;132:5-9.)*



# Summary of 'thin-slicing' studies

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- ❖ It's not about the mistakes made in regard to medical care it's about HOW the mistakes made were managed, HOW the patients were treated on a personal level
- ❖ "People just don't sue doctors they like and trust"
- ❖ The doctor has to treat the patient like a human being; "the doctors that don't are the ones that get sued"
- ❖ You don't need to know how a surgeon operates in order to know their likelihood of being sued, what you need to understand is the relationship between the doctor and their patient

# In a nutshell...



# We memorise our emotions – it's efficient!

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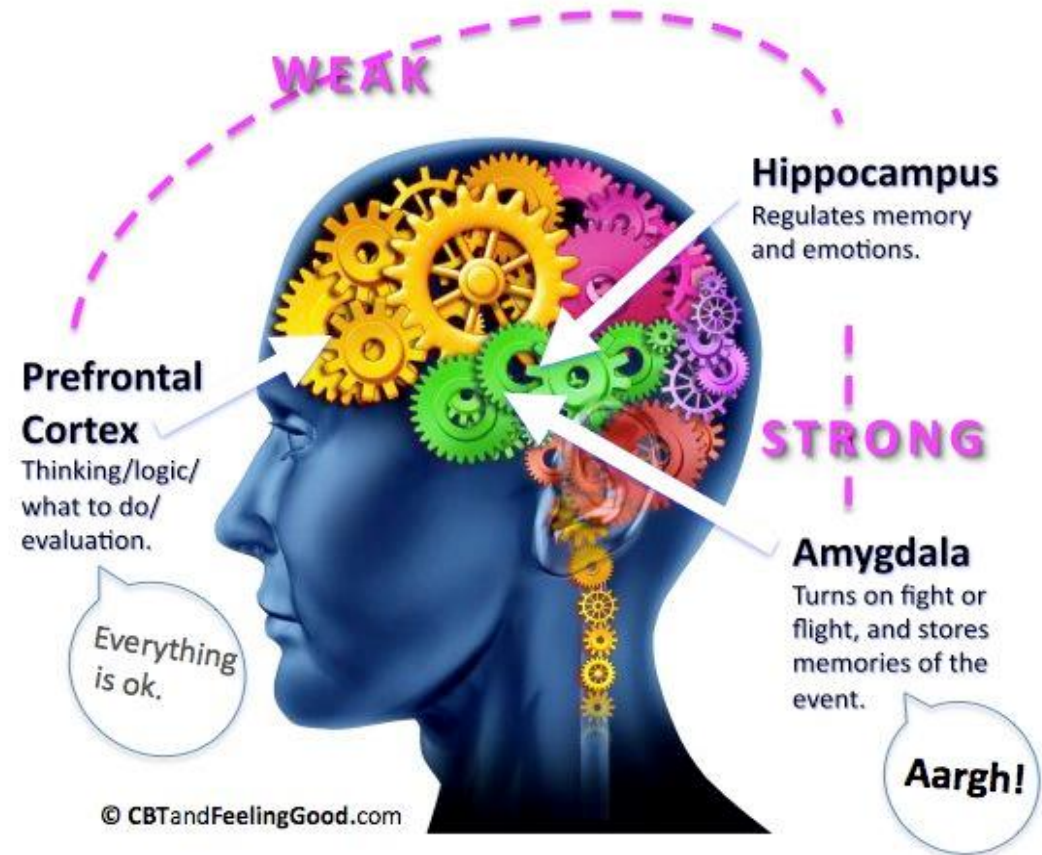
*People will forget what you did,  
people will forget what you said but  
people will never forget how you  
made them feel*

- Maya Angelou

# Breakdown in communication

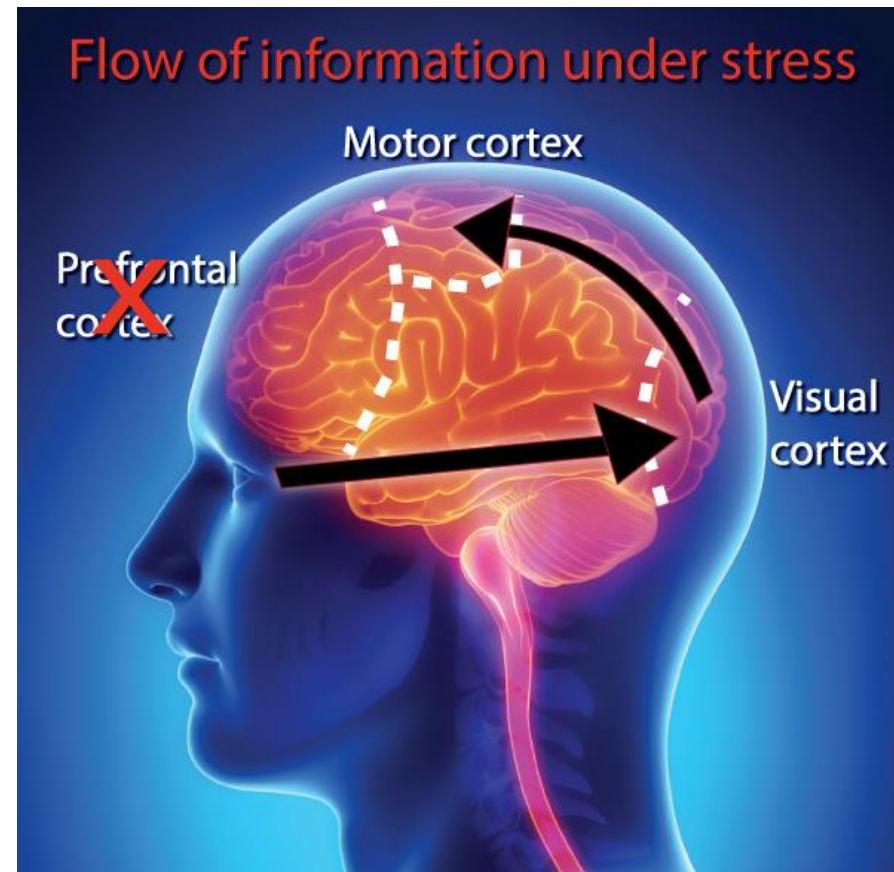
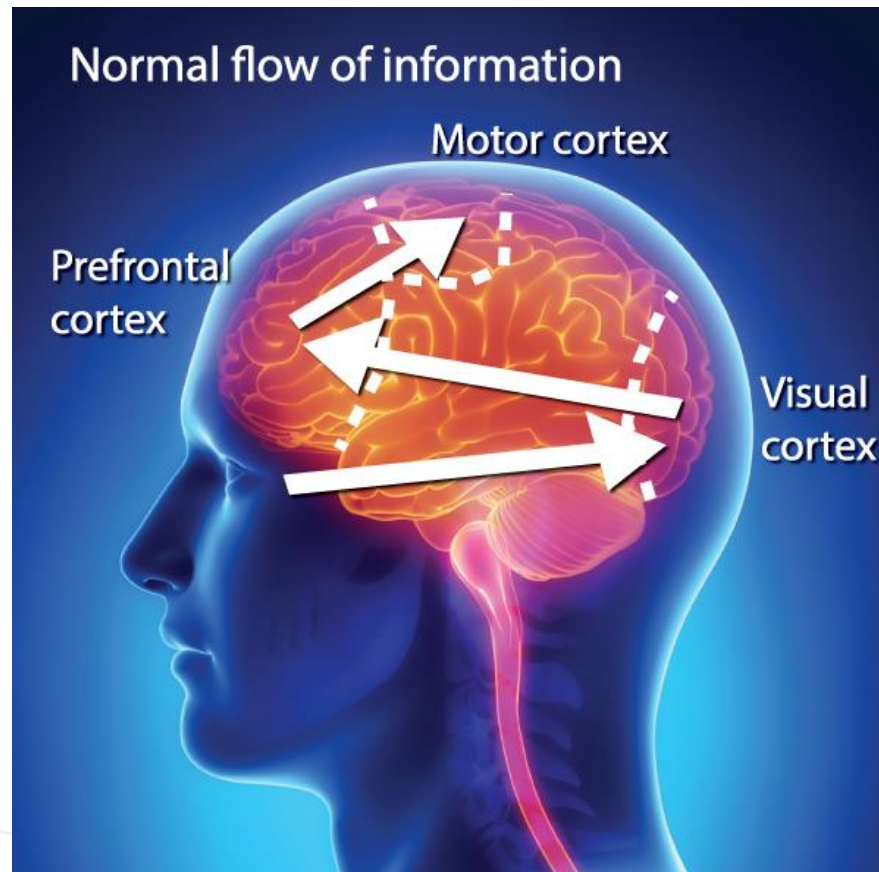
Breakdowns in communication can lead to disconnection of smart brain:

- ❖ Internalised reaction
- ❖ Externalised reaction
- ❖ Conflict





# Disconnect from 'smart brain' – PFC

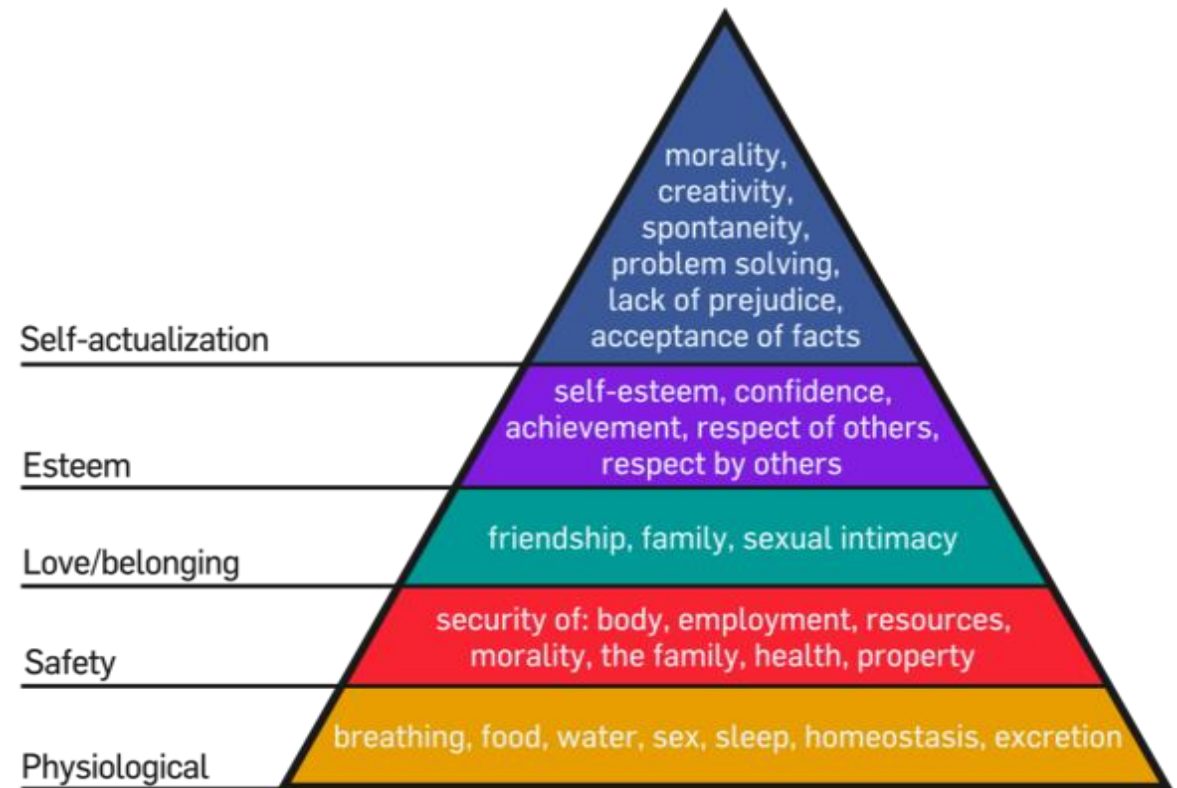




# Conflict & needs

Human conflict arises when one or more of our most basic physical or psychological needs are unheard, unmet, violated or perceived to be violated in some way

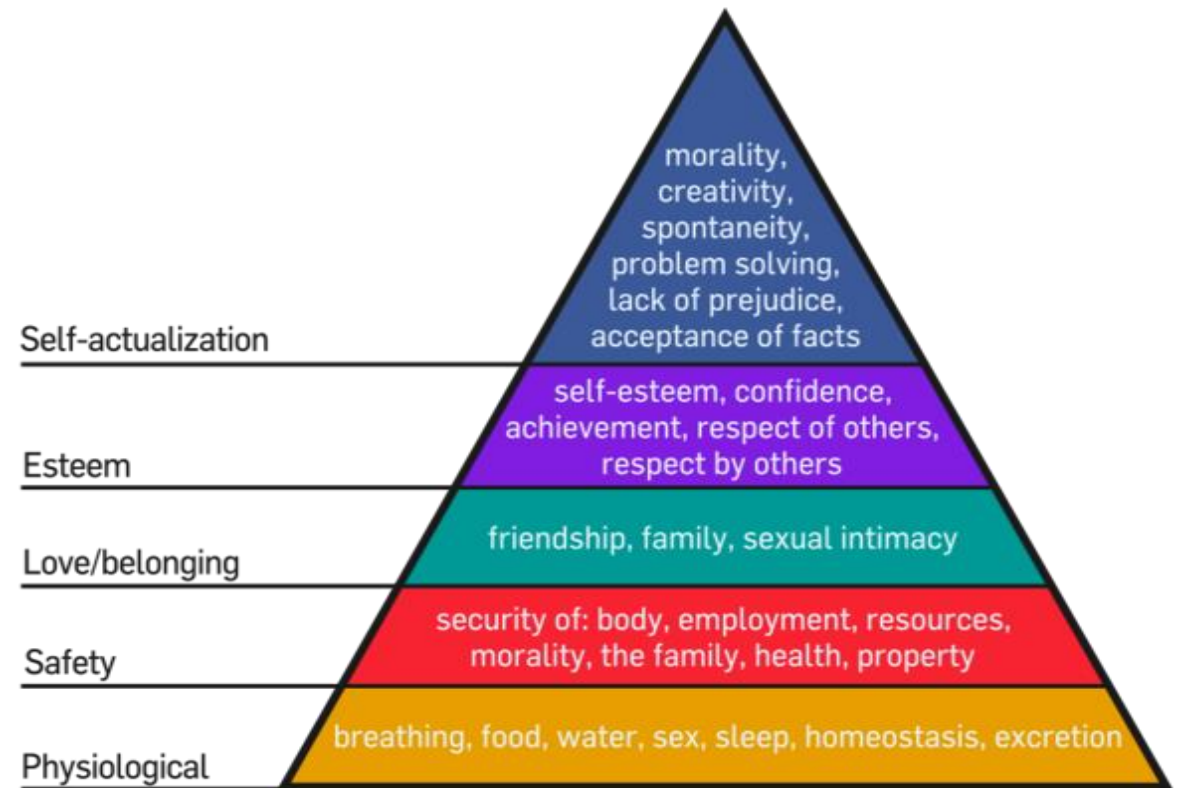
- Morse, P. S. & Ivery, A. E. (1996)



# Conflict & needs

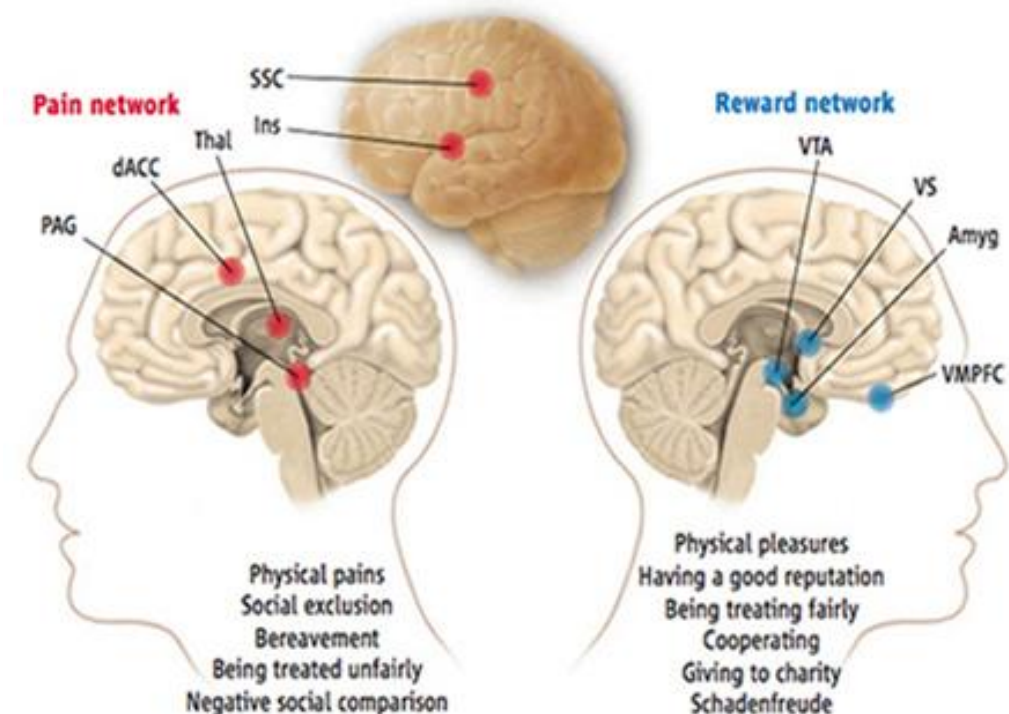
Anger is one way humans respond to unmet needs or expectations. The patient who is angry is a lawsuit waiting to happen. The physician, not the lawyer, is in the best position to defuse the patient's anger.

- Huntington et al., 2003



# Social & physical pain: shared neural pathways

- ❖ Exclusion, unfair treatment, negative social comparison, reputation risk activate the same neural networks as experiencing physical pain
- ❖ Lieberman & Eisenberger, 2009  
Eisenberger, N. I. (2015)



# Smart brain back online

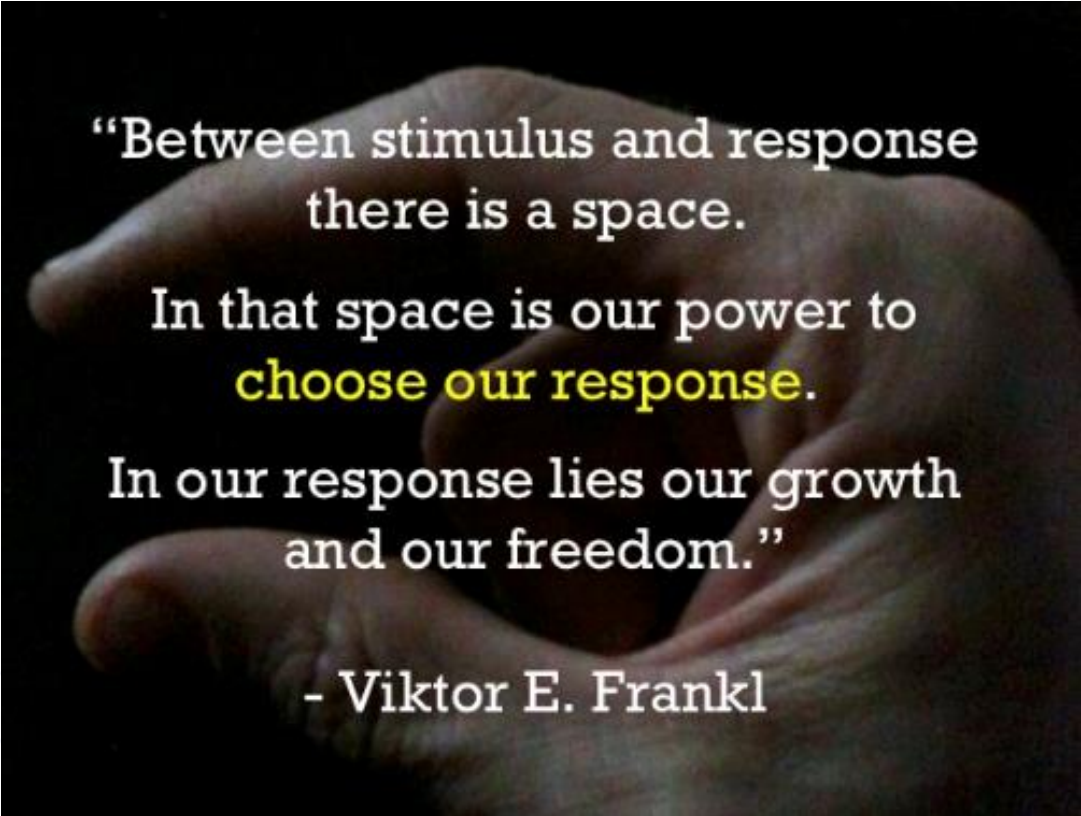
Identifying the unmet needs driving conflict helps to down-regulate the stress response, bring the PFC back online, along with vital skills of perspective taking, compassion, empathy & judgement.

**Avoid escalation early on!**



# Slow things down: listen to understand

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“Between stimulus and response  
there is a space.

In that space is our power to  
**choose our response.**

In our response lies our growth  
and our freedom.”

- Viktor E. Frankl



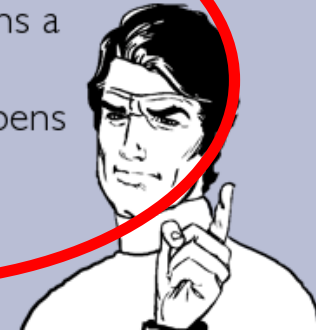
# Value of an apology



# Apology but no change: no trust restored



If it happens once it's a mistake. If it happens a second time it is a choice and if it happens a third time it is a pattern.




PROVIDENCE, R.I. — Rhode Island Hospital was fined \$50,000 and reprimanded by the state Department of Health Monday after its third instance this year of a doctor performing brain surgery in the wrong side of a patient's head.

"We are extremely concerned about this continuing pattern," Director of Health David R. Gifford said in a written statement. "While the hospital has made improvements in the operating room, they have not extended these changes to the rest of the hospital."

# Recent Australian studies

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## Why do surgeons receive more complaints than their physician peers?

Holly M. Tibble, Nigel S. Broughton, David M. Studdert, Matthew J. Spittal,  
Nicola Hill, Jennifer M. Morris, Marie M. Bismark 

First published: 9 September 2017 [Full publication history](#)

## Patients' Experiences with Communication-and-Resolution Programs After Medical Injury

Jennifer Moore, LLB, MA, PhD<sup>1</sup>; Marie Bismark, LLB, MPH, MD<sup>2</sup>; Michelle M. Mello, JD, PhD, MPhil<sup>3,4</sup>

# Australian Studies

BMJ Quality & Safety Online First, published on 10 April 2013 as 10.1136/bmjqs-2012-001691



OPEN ACCESS

## Identification of doctors at risk of recurrent complaints: a national study of healthcare complaints in Australia

Marie M Bismark,<sup>1</sup> Matthew J Spittal,<sup>1</sup> Lyle C Gurrin,<sup>1</sup> Michael Ward,<sup>2</sup>  
David M Studdert<sup>1,3</sup>

## Disciplinary Tribunal Cases Involving New Zealand Lawyers with Physical or Mental Impairment, 2009–2013

Jennifer Moore, Donna Buckingham & Kate Diesfeld

Published online: 16 Jul 2015

# U.S. studies

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[Proc \(Bayl Univ Med Cent\)](#). 2003 Apr; 16(2): 157–161.

PMCI

## **Communication gaffes: a root cause of malpractice claims**

[Beth Huntington](#), BSN, MSN, JD<sup>1</sup> and [Nettie Kuhn](#), RN, BSPA, CPHRM<sup>1</sup>

- ❖ Devalued patient or family views
- ❖ Failed to see patient's perspective
- ❖ Were unavailable for communication
- ❖ Failure to disclose medical errors



# What's going on for doctors?



Because there are fewer opportunities for direct patient contact, it hinders the ability to develop a rapport with patients, monitor their non-verbal communication and elicit feedback on the interaction.

# What's going on for doctors?

work  at work

## Half of hospital doctors work 'unsafe hours', audit reveals

IT'S no secret a doctor's job is a gruelling one. But a new snapshot of Australia's public hospitals has revealed just how dangerous it can be.

Roje Adair

AMA president Michael Cannon was left dismayed.

2017 5:16PM

"It is disappointing that work and rostering practices in some hospitals are still contributing to doctor fatigue and stress, which ultimately affect patient safety and quality of care and the health of the doctor," he said in a statement.

# What's going on for doctors?

WATCH IT LIVE NOW

SYDNEY SKYCAM

News / National

## Chairs thrown at hospital staff in patient outbursts



By Sean Thompson | 6:38am Feb 26, 2018

19 JUN 2017 - 10:13AM

**Violence against nurses is on the rise, but protections remain weak**

**THE AUSTRALIAN**   
FOR THE INFORMED AUSTRALIAN

NEWS

OPINION BUSINESS REVIEW NATIONAL AFFAIRS SPORT LIFE TECH ARTS TRAVEL HIGHER ED MEDIA PROPERTY

CAREERS

## Medical staff mental illness: getting help with no fear



NEWS

## Drastic action: Violence against hospital staff out of control



by jacobmiley



20th Sep 2017 6:00 AM | Updated: 7:34 AM


# Burnout leads to depersonalization

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*Journal of Organizational Behavior*  
*J. Organiz. Behav.* 21, 425–441 (2000)

## **Patient demands, lack of reciprocity, and burnout: A five-year longitudinal study among general practitioners**

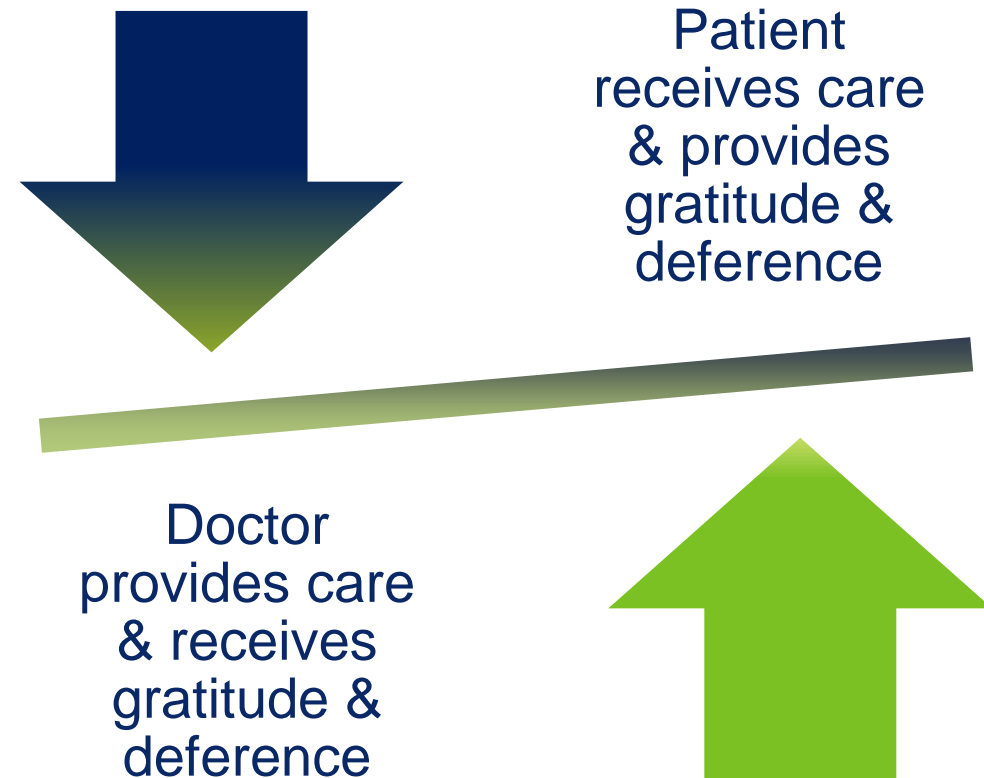
**ARNOLD B. BAKKER<sup>1\*</sup>, WILMAR B. SCHAUFELI<sup>1</sup>,  
HERMAN J. SIXMA<sup>2</sup>, WILLEM BOSVELD<sup>3</sup>  
AND DIRK VAN DIERENDONCK<sup>4</sup>**



# Unique Relationship : patient-physician

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Relationship is tested when one of the players do not hold up their up their end of the deal, when they are giving more than they are getting or not getting what they believe they should





# Skills training

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## **Physician-Patient Communication A Key to Malpractice Prevention**

Wendy Levinson, MD

*JAMA*. 1994;272(20):1619-1620. doi:10.1001/jama. By Wendy Levinson, Cara S. Lesser, and Ronald M. Epstein

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## **Developing Physician Communication Skills For Patient-Centered Care**

# Skills training

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May 4, 2011

## **Patient-Physician Communication** **It's About Time**

Wendy Levinson, MD; Philip A. Pizzo, MD

## **Teaching communications skills to medical students: Introducing the fine art of medical practice**

[Anjali Choudhary](#) and [Vineeta Gupta](#)

# Skills training

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[Journal of General Internal Medicine](#)

..... July 2016, Volume 31, [Issue 7](#), pp 755–761 | [Cite as](#)

## Communication Skills Training for Physicians Improves Patient Satisfaction

System-wide relationship-centered communication skills training improved patient satisfaction scores, improved physician empathy, self-efficacy, and reduced physician burnout. Further research is necessary to examine longer-term sustainability of such interventions.

# Patient/consumer focus

Feb 21 2018 at 7:00 PM  
Updated Feb 21 2018 at 7:00 PM

☆ Save article

## Talking to a doctor a two-way conversation

Whitecoat, Australia's largest healthcare consumer platform, which allows patients to rate physiotherapists, dentists and other allied professionals on their listening skills and customer service – has now extended its ratings services to doctors in 77 different specialties.

### Ratings & Reviews

[Leave a Review](#)



Time to get an  
Appointment



Listening Skills



Treatment Explanation

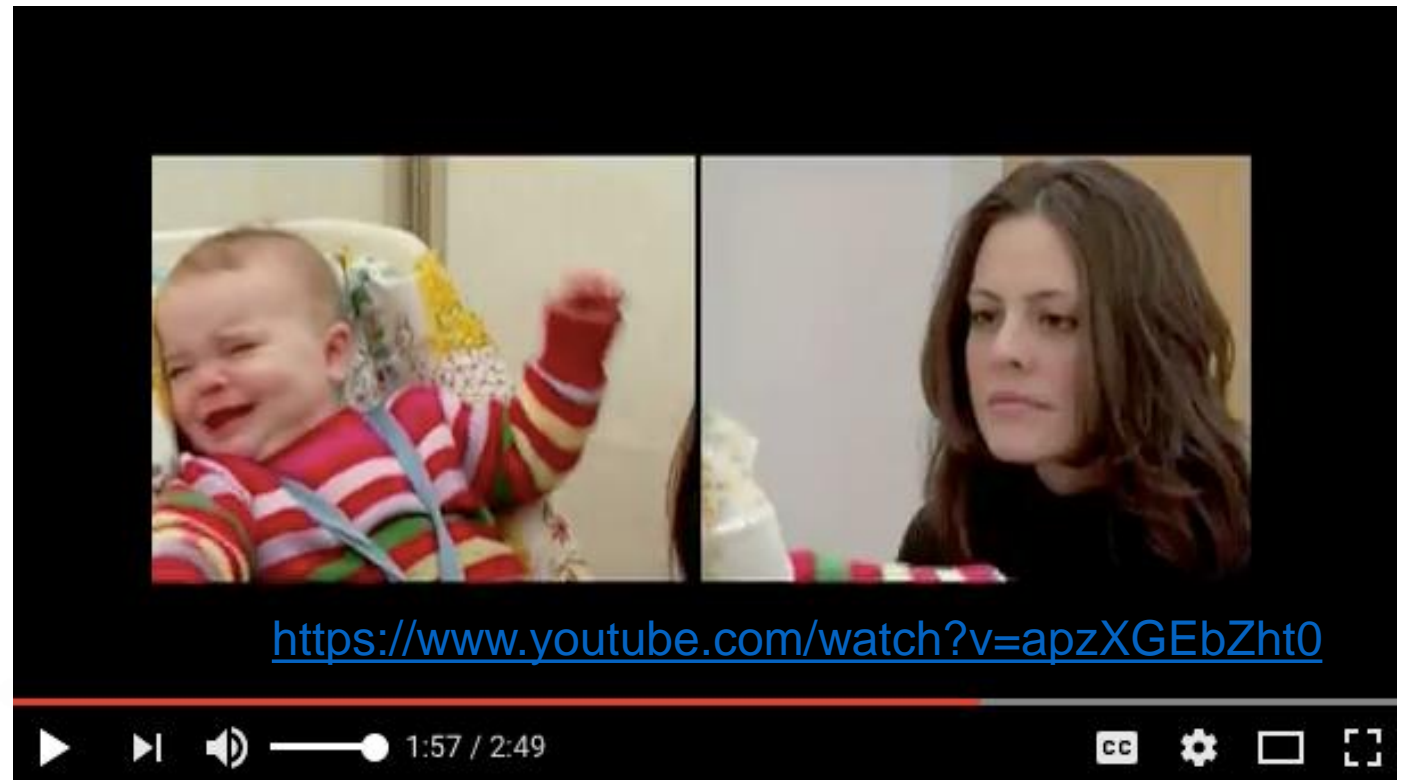


Likelihood to Recommend

# Still face experiment

Innate need for:

- ❖ Attunement
- ❖ Reciprocity
- ❖ Connection
- ❖ Inclusion





# Thank you

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NB: All references for research papers mentioned will be made available for those interested.

