

OUTLINE

**The Epidemic of Medical Mistakes**  
Types and sources of human error  
Strategies to protect against human error/mistakes  
Sentinel events and near misses  
How to address errors: The punitive approach?

**Root Cause Analysis Process and Culture of Safety**  
High risk areas to address in harm prevention  
Med administration  
Falls  
Wounds/pressure injuries  
Change in condition  
Abuse

**Swiss Cheese Model of Accident/Harm Causation**  
Degrees of negligence  
What the plaintiff must prove

**Allegations of Negligence: In the Legal Terms...**  
Doctrine of respondeat superior  
Proximate cause  
Reasonable medical probability  
Causation

Damages  
Foreseeability  
Standards of care  
  
**Tips to Avoid the Traps**  
How documentation can help or hurt  
Incident charting  
The electronic medical record pitfalls

**You are named in a suit! Now what!**  
Be the Plaintiff or Defendant  
Review actual cases: Both frightening and exciting to learn from  
Examples of the ill-prepared nurse in court  
Feel how a deposition could go: Don't let this happen to you!  
How to survive a deposition and trial

**Live Seminar Schedule**

**7:30** Registration/Morning Coffee & Tea  
**8:00** Program begins  
**11:50-1:00** Lunch (*on your own*)  
**4:00** Program ends

There will be two 15-min breaks (mid-morning & mid-afternoon).  
Actual lunch and break start times are at the discretion of the speaker.  
A more detailed schedule is available upon request.

OBJECTIVES

1. Evaluate the latest legal pitfalls in nursing practice.

2. Demonstrate 3 major areas the plaintiff must prove: existence of duty, breach of duty, and injury.

3. Apply the standards of care to actual litigation cases.

4. Analyze documentation samples so that you can avoid litigation and licensure risks.
5. Determine the actual anatomy of a deposition.

6. Explain preparation to be most successful in the courtroom, including appearance, demeanor and responses.

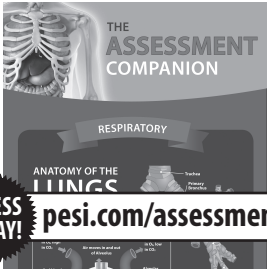
**Target Audience:**

Nurses • Nurse Practitioners • Clinical Nurse Specialists • Risk Managers  
Legal Nurse Consultants • Attorneys • Paralegals

**Have a seminar idea? A manuscript to publish?**  
The nation's top speakers and authors contact PESI HealthCare first. If you are interested in becoming a speaker, or have a new topic idea, please contact **Missy Cork** at [mcork@pesi.com](mailto:mcork@pesi.com) or call **(715) 855-6366**.

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NURSING MISTAKES  
& NEGLIGENCE  
ALLEGATIONS

Even If It's Not Your Fault...  
It Will Become Your Problem

Denver, CO  
Wednesday  
October 23, 2019

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NURSING MISTAKES  
& NEGLIGENCE  
ALLEGATIONS

Even If It's Not  
Your Fault ...  
It Will Become  
Your Problem

- Tips to avoid current high-risk litigation trends: Falls, pressure ulcers, med administration, supervision & more!
- You are sued... Now what?!
- The ill-prepared nurse in the courtroom
- Analyze the (slight) mistakes made from actual negligence cases
- Strategies to litigation-proof your documentation
- "Don't let this happen to you" experience: Play roles of the defendant and accuser/plaintiff



Denver, CO  
Wednesday  
October 23, 2019



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NURSING MISTAKES & NEGLIGENCE ALLEGATIONS:

Even If It’s Not Your Fault ... It Will Become Your Problem

Imagine that you and your manager/administrator have been served with a lawsuit related to the stay of a patient that you vaguely recall some 2-3 years ago. The failures listed in the complaint are voluminous, covering 3 pages. You are both stone cold petrified. What went wrong? What am I being accused of? Why me? How am I supposed to remember any of this? How can this happen to me, a stellar nurse of 20 years?

This program will address all of this and provide you with all that you need to know to prevent this scenario in the first place!

Healthcare today is rife with litigation against nurses. There is more accountability, reliability, autonomy and liability. The rate of nurses becoming part of lawsuits is steadily on the rise. Join Legal Consultant, Kathleen Martin, RN, MSN, MPA, LNHA, CPHQ, WCC, HACP, for this critical and self-protective look in to very real nursing mistakes and negligence allegations made.

SPEAKER

Kathleen Martin, RN, MSN, MPA, LNHA, CPHQ, WCC, HACP, has 30+ years of experience in clinical and administrative roles in both hospitals and long-term care/sub-acute facilities. Kathleen owns and operates K Martin Consulting which focuses on Med-Mal/Legal Nurse/Administration Legal Consulting nationwide for both Defense and Plaintiff interests. As a legal nursing and administration expert, she performs record reviews, develops Affidavits of Merit, reports, assists with case preparation and has extensive deposition and trial experience. For the legal consultant work she performs, Kathleen draws from her past clinical positions, including work as: staff nurse, critical care CNS, Director of Nursing, Licensed Nursing Home Administrator, and Director/VP Quality Management.

Additionally, she remains certified in wound care, quality management, and as an accreditation specialist. Kathleen has published professionally and won the NJ Governor’s Merit Award. She has shared her expertise with nursing students through adjunct teaching roles and with groups of experienced healthcare professionals throughout the country. Her insights related to patient safety, risk management and legal trends in healthcare have been sought after throughout her travels.



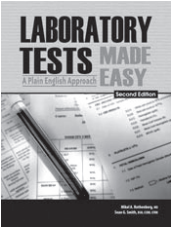
Speaker Disclosure:  
Financial: Kathleen Martin is an adjunct professor at Grand Canyon University. She receives a speaking honorarium from PESI, Inc.  
Non-financial: Kathleen Martin is a member of the Wound Care Ostomy Society; the American Professional Wound Care Association; and the American Association of Wound Care Professionals.

**Hassle-Free Cancellation Policy:** If you contact us before the event date, you can exchange for a DVD or CD/digital manual package on the subject (self-study continuing education credit may be available), a certificate to attend another seminar, or receive a tuition refund less a \$30 cancel fee. Substitutions are permitted at any time.

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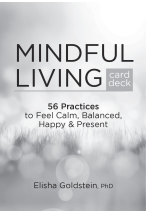
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Laboratory Tests Made Easy:  
A Plain English Approach, Second Edition

By Mikel Rothenberg, MD & Sean G. Smith, C-EFM, C-NPT, FP-C, TP-C, RNC-NIC, CEN, CFRN, CPEN, CCRN-CMC, CCRN-K

This best-selling reference book provides both the “need to know” information, as well as the “nice to know” details relevant to your patient’s lab results. In this second edition you will find plain English summaries, pertinent case studies, and easy to read diagrams and tables. (2014)



Mindful Living Card Deck:  
56 Practices to Feel Calm, Balanced, Happy & Present

By Elisha Goldstein, Ph.D.

At home and at work, science has shown that developing certain simple strengths can significantly improve your mood, relationships, resiliency and quality of life. Why not give it a try?

Here are 56 cards that offer simple and easy-to-do daily practices. Integrate them into your life and you can have powerful results and uncover sustainable happiness. Plus-six bonus mindful living meditations to help you relax, focus, grow joy and boost your brain power!

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If your profession is not listed, please contact your licensing board to determine your continuing education requirements and check for reciprocal approval. For other credit inquiries not specified below, or questions on home study credit availability, please contact [cepesi@pesi.com](mailto:cepesi@pesi.com) or 800-844-8260 before the event.

Materials that are included in this course may include interventions and modalities that are beyond the authorized practice of mental health professionals. As a licensed professional, you are responsible for reviewing the scope of practice, including activities that are defined in law as beyond the boundaries of practice in accordance with and in compliance with your profession’s standards.

PESI, Inc. offers continuing education programs and products under the brand names PESI, PESI Healthcare, PESI Rehab and Psychotherapy Networker.

**NURSES, NURSE PRACTITIONERS, AND CLINICAL NURSE SPECIALISTS:** PESI, Inc. is accredited as a provider of continuing nursing education by the American Nurses Credentialing Center’s Commission on Accreditation.  
Nurses in full attendance will earn 6.3 contact hours. Partial contact hours will be awarded for partial attendance.

**OTHER PROFESSIONS:** This activity qualifies for 380 minutes of instructional content as required by many national, state and local licensing boards and professional organizations. Save your course outline and certificate of completion, and contact your own board or organization for specific requirements.



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**WALK-INS**  
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- **\$30 Tuition:** If you are interested in being our registration coordinator for the day, go to: [www.pesihealthcare.com/coord](http://www.pesihealthcare.com/coord) for availability and job description, or call our Customer Service Dept. at 800-844-8260.
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