

Risk Tip: Termination of Care for Abusive or Non-compliant Patients

Termination, although not always your first response, can be an effective risk management option especially with patient that's are abusive and/or noncompliant patients. Let's begin with definitions:

- ❖ **Abusive behavior:** Any physical or verbal action that intentionally harms or injures another person or any physical or verbal action with the intent to do such harm. This also includes harassment, manipulative behavior, and other behaviors that can be construed as abusive.
- ❖ **Noncompliance:** Failure or refusal to conform to or follow rules, regulations, or the advice of another. A patient may be considered noncompliant, for example, if he/she does not adhere to the "Practice Rules" or does not follow his/her prescribed plan of care.

When a patient be considered noncompliant, the staff and/or provider can follow a process for issuing letters of warning and termination. Letters to the patient regarding noncompliance must be delivered directly to the patient or via certified mail with return receipt requested. Communications are not to be delivered through family members or other parties.

Should a patient engage in behavior that is considered to be abusive in nature (verbal or physical), the staff and/or provider may institute approved procedures for immediate termination or defer to approved procedures for issuing letters of warning and termination. It is good practice to institute and enforce a zero-tolerance policy toward a client's abusive behavior toward others, including staff or other patients, and visitors. This can also include disrupting the practice facilities that interferes with the ability to deliver services to other patients.

Reasons for which termination may be initiated:

- A patient's repeated failure to comply with the practice rules including personal conduct
- A patient's repeated failure to make or keep scheduled appointments
- A patient's failure to provide accurate, complete, and current information on health status to the physician or clinical staff
- A patient's repeated failure to comply with their plan of care.
 - Violations may include failure to take medications as prescribed, prescription drug abuse, failure to follow personal health practices (such as diet), and other aspects of the treatment which have been explained to the patient and which are reasonable within the patient's ability to comply

A completed termination letter will need to include:

- Signature from the provider
- Comment regarding contacting their local medical society or local hospital physician referral service to whom the patient may choose to transfer their care

Next steps:

- Place a copy of the termination letter in the patient's record
- Patient will be given 30 days to find another provider. Emergent/urgent care during this the 30 day window will be provided
- After 30 days from the date of the termination letter, patient will no longer be able to receive care.

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