

DRIVING **CHANGE 2023**
THE URGENT CARE CONVENTION

Legal Lessons

UCA URGENT CARE
ASSOCIATION®



COLLEGE OF
URGENT CARE
MEDICINE

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Pete Heidepriem, JD

Presented by UCA Affiliate

HIPPO
EDUCATION





- Discharge Instructions
- Fluoroquinolones
- Metadata
- Recording Providers
- Social Media

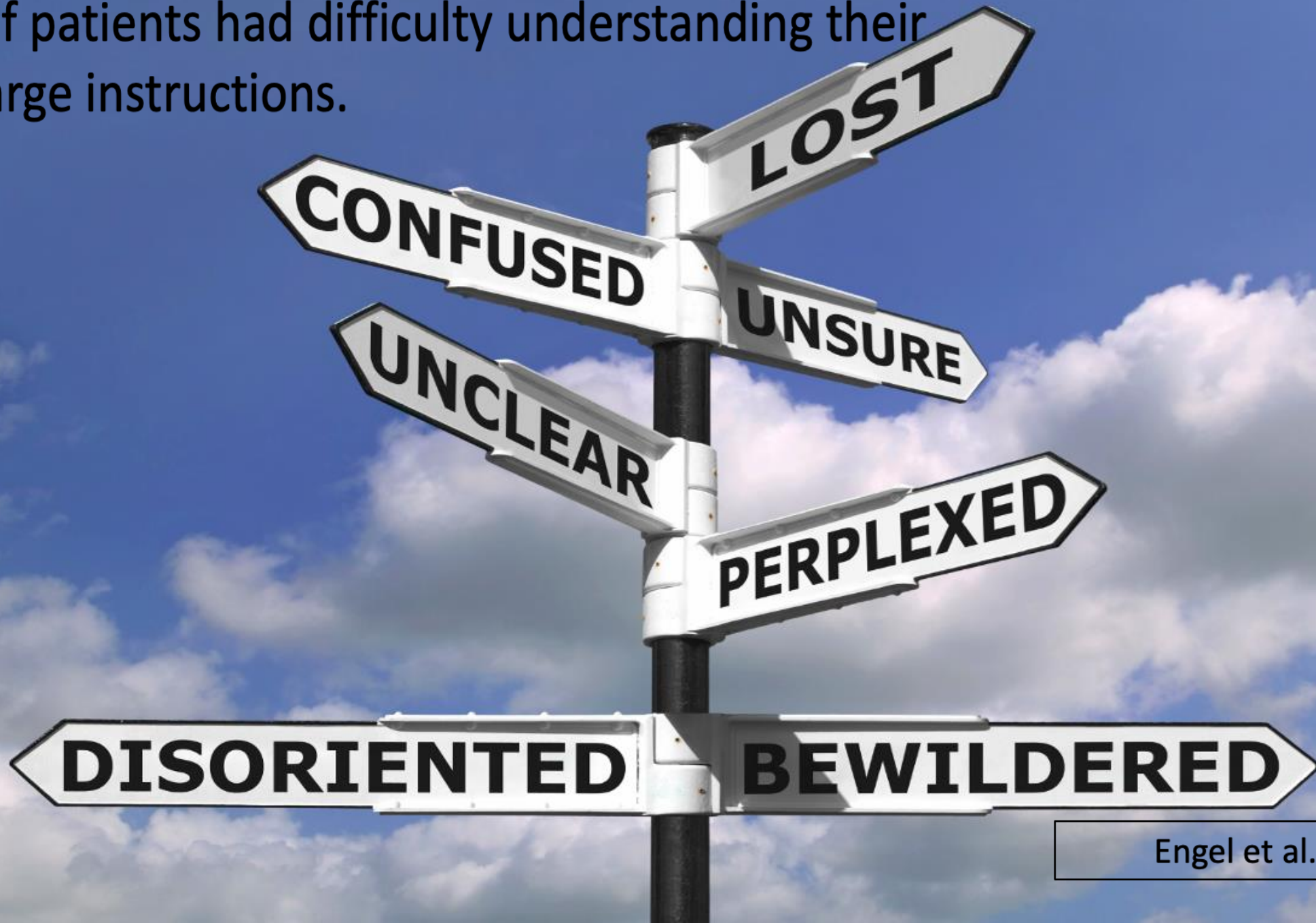




Discharge Instructions



22% of patients had difficulty understanding their discharge instructions.



Engel et al. 2009

Only **30%** of patients recognized their deficiency in comprehension.



answered. I MAY RETURN TO THE EMERGENCY DEPARTMENT
TIME IF MY CONDITION WORSENS, DOES NOT IMPROVE, OR IF
A NEW PROBLEM.

B [redacted] I hate 4

Patient or Representative's Signature

Date / Time



HIPPO



Computer vs. Handwritten

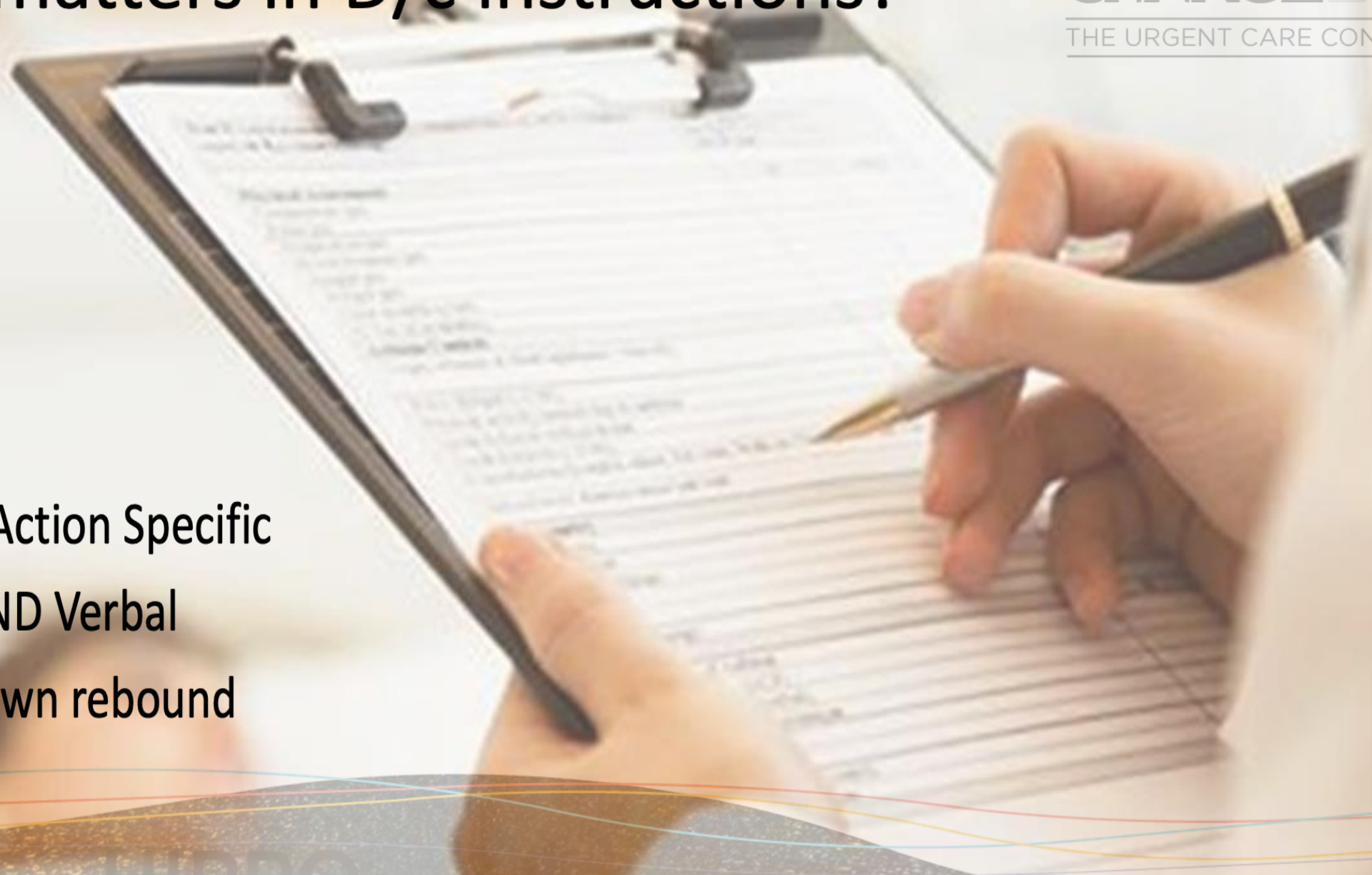
No association between the type of discharge instructions provided and the rate of return visits over a 72-hour period.

Lawrence et al. 2009

“gastroenteritis”



What matters in D/c instructions?



- Time and Action Specific
- Written AND Verbal
- Get your own rebound

“Make an appointment with a plastic surgeon
WHEN AVAILABLE for treatment.”

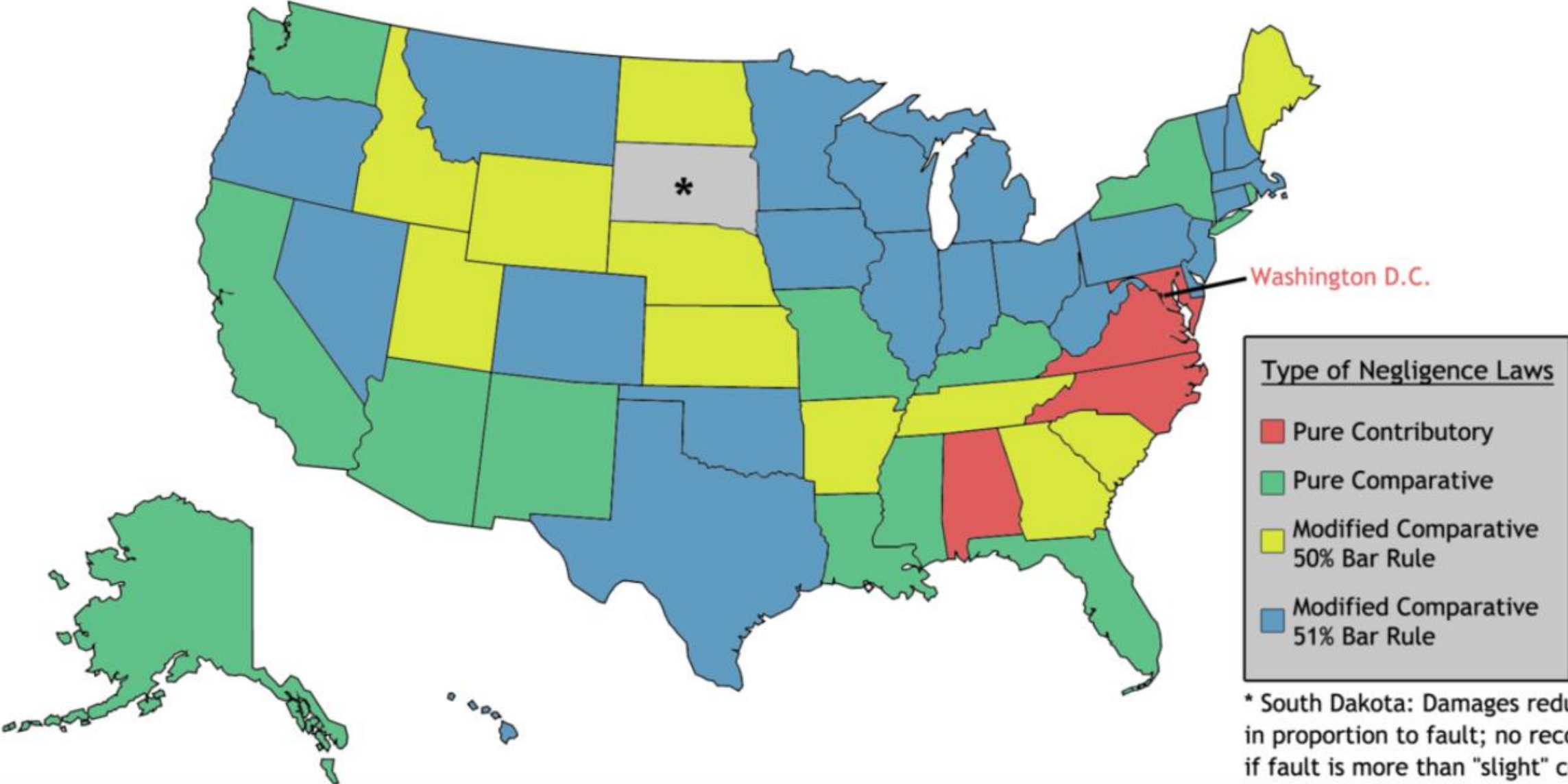


“See your doctor in **1-2 days**”

DRIVING **CHANGE2023**
THE URGENT CARE CONVENTION



State Negligence Laws



Type of Negligence Laws

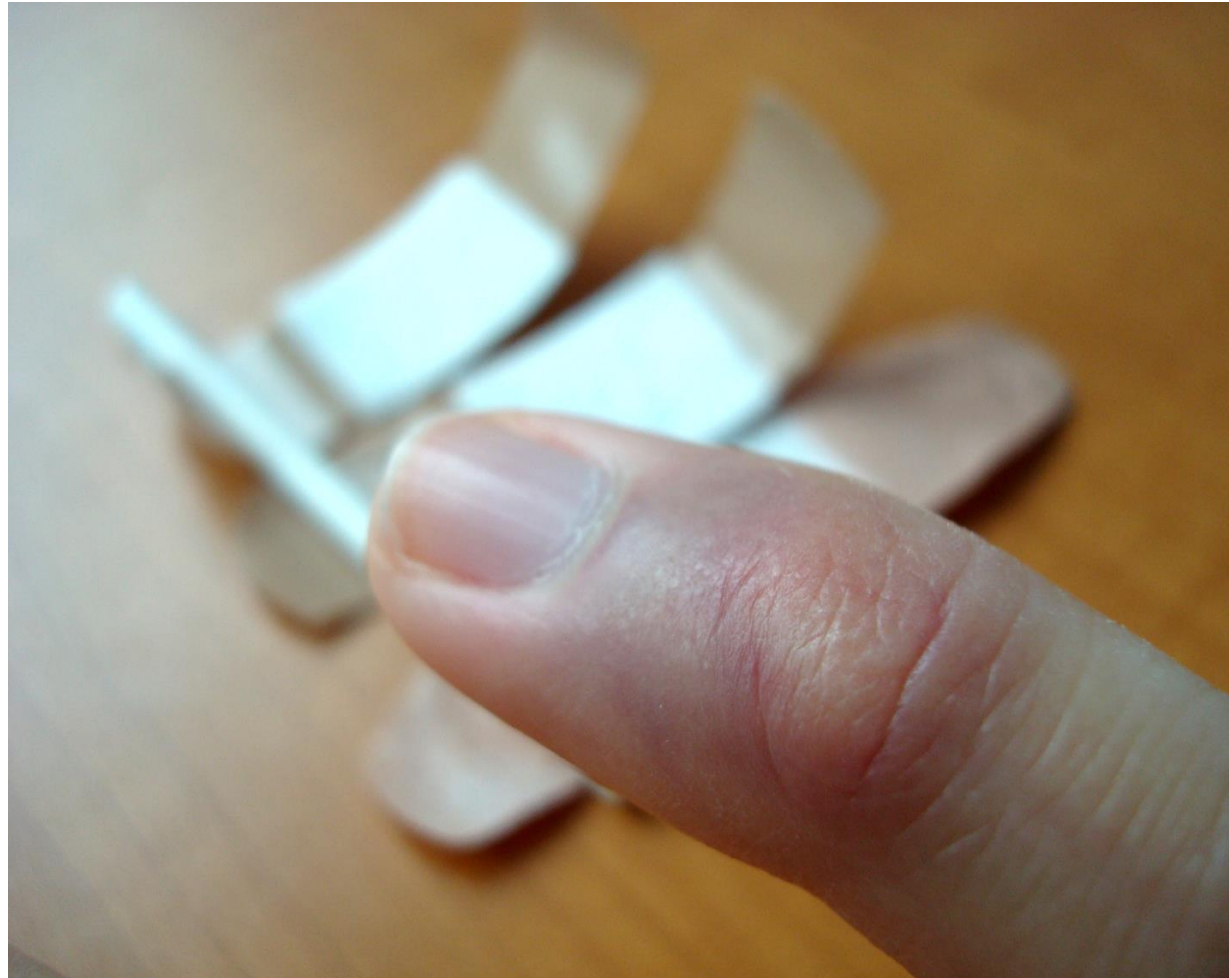
- Pure Contributory
- Pure Comparative
- Modified Comparative 50% Bar Rule
- Modified Comparative 51% Bar Rule

* South Dakota: Damages reduced in proportion to fault; no recovery if fault is more than "slight" compared to defendant's negligence.

Do...

Something

“Follow-up as needed.”



Written AND Verbal



HIPPO



“...the discharge instructions as a **whole** did not fall below the applicable standard of care.”

“If you get worse or develop any new symptoms, return immediately to the emergency department.”

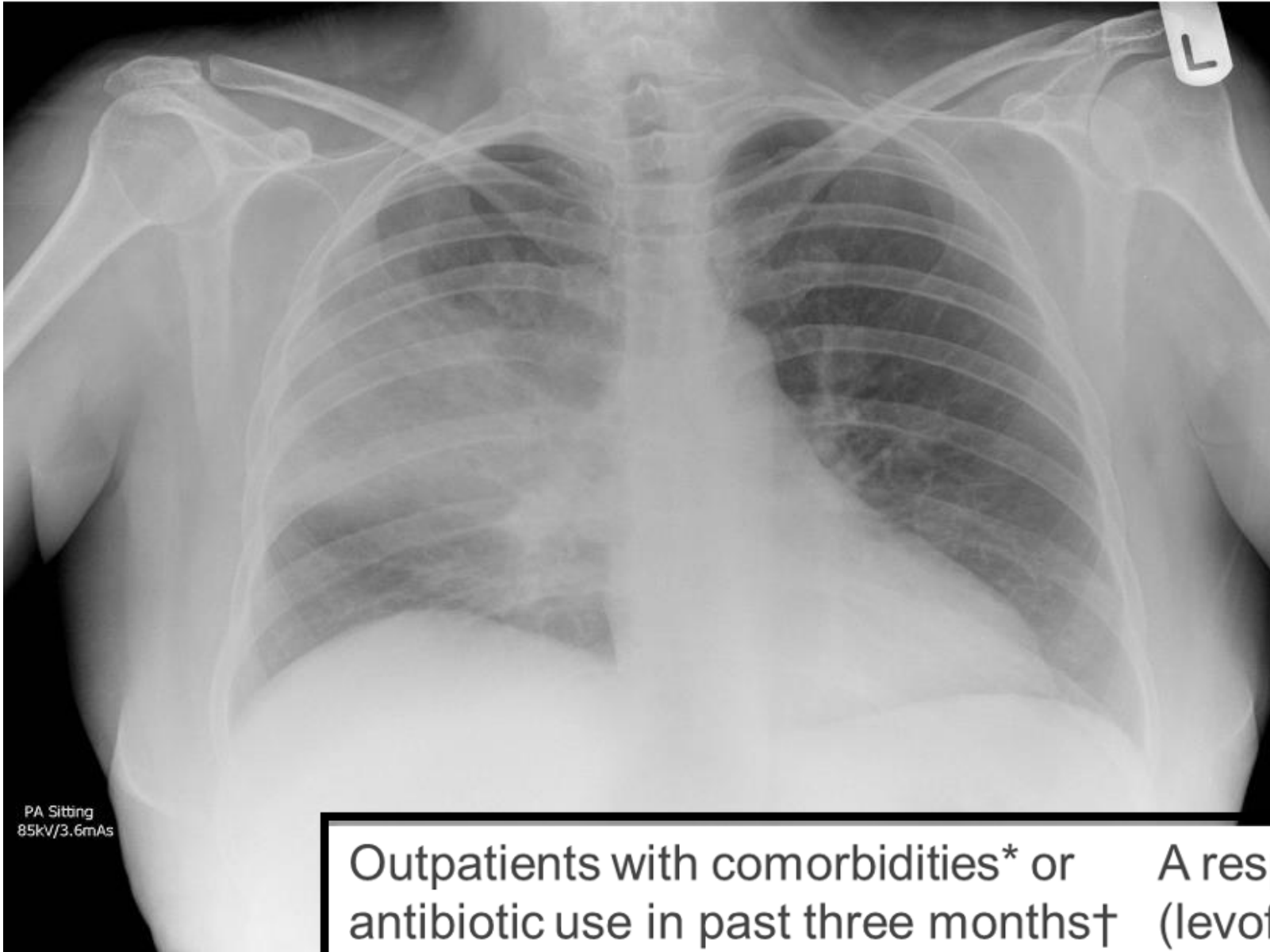
A photograph showing two white seabirds, likely terns, in flight against a background of a stone wall. In the foreground, a person wearing a brown hat and a green jacket is holding a camera with a large lens, appearing to be taking a picture. Other people are visible in the background, some also holding cameras. The scene is outdoors and brightly lit.

Fluoroquinolones

300,000 prescriptions/year

- Aerobic gram-negative coverage
- Some *Pseudomonas*
- Some *Staph*
- Atypical pneumonias
- Genital pathogens
- Anaerobes

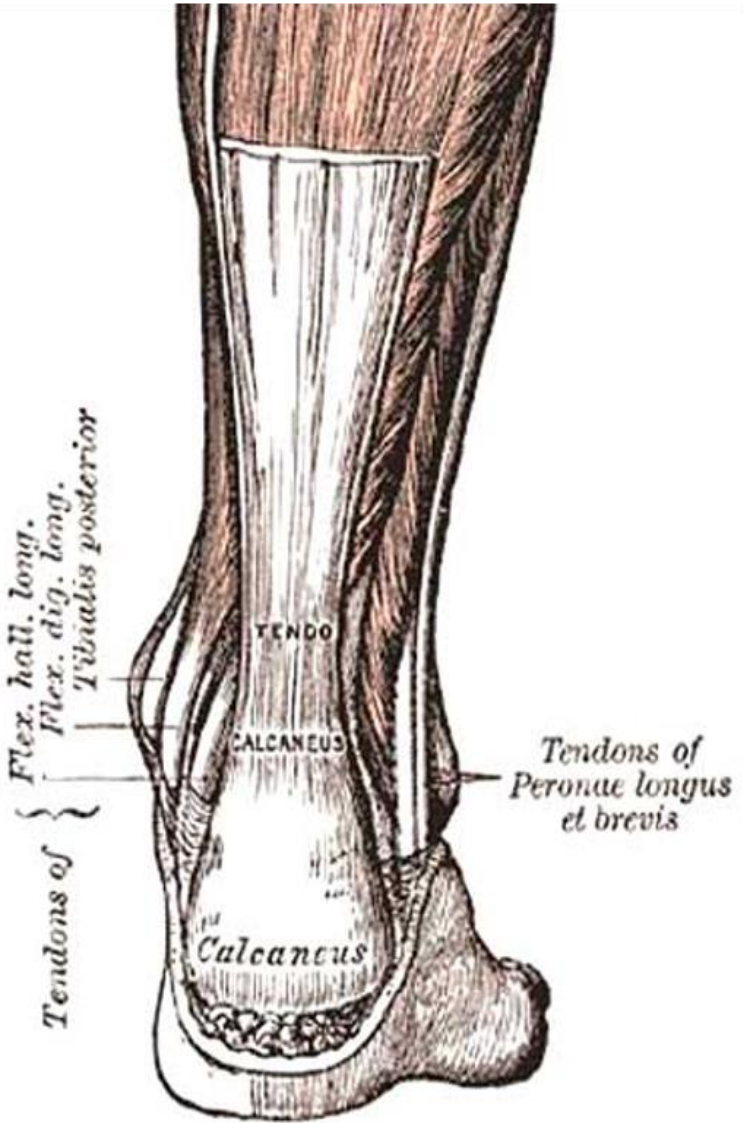




Outpatients with comorbidities* or antibiotic use in past three months†

A respiratory fluoroquinolone (levofloxacin [Levaquin], gemifloxacin [Factive], or moxifloxacin [Avelox]),

Healthy Patients



HIPPO

Increased risk of rupture

A photograph of a person's arm and hand. The arm is wrapped in a bright red bandage, and a hand is holding the bandage. The background is a solid light blue color.

- **Men**
- **Age > 60 years**
- **Chronic renal disease**

Prednisone
Tablets USP

10 mg




Watson.

1000 Tablets Rx only



46 x increase in tendon rupture

Risk of Neuropathy



Have you been diagnosed with
Peripheral neuropathy
(nerve damage)
& have taken

LEVAQUIN[®]?

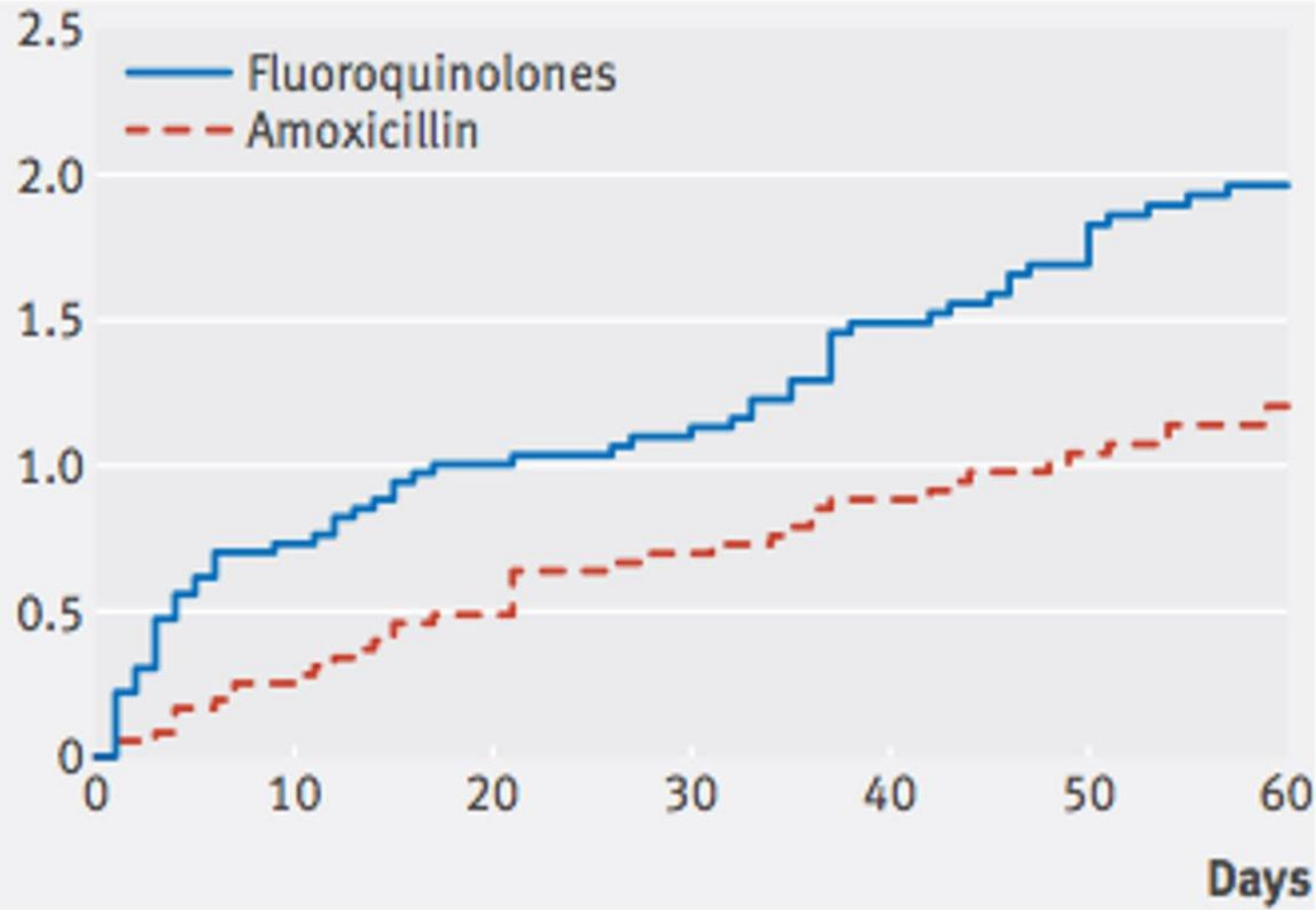
You May be Entitled to Compensation. WE CAN HELP!

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Quinolones v. Amoxicillin

Incidence of aortic aneurysm/dissection



Risk to the Provider





**Think again,
Consider Avelox®
(moxifloxacin)**




**Avelox® (moxifloxacin):
Potent*/Rapidly Bactericidal**
/Broad Spectrum*****

Potent:
Avelox (moxifloxacin) is a 100% protein-bound fluoroquinolone antibiotic.

Rapidly Bactericidal:
Avelox (moxifloxacin) has a half-life (t_{1/2}) of 12 hours. In patients with normal renal function, a single 400 mg dose of Avelox (moxifloxacin) results in a mean peak plasma concentration of 12.5 mg/L. Avelox (moxifloxacin) is rapidly eliminated from the body. Avelox (moxifloxacin) is a potent bactericidal agent against most Gram-negative organisms.

Broad Spectrum of Activity**
Avelox (moxifloxacin) has a broad spectrum of activity and bactericidal action against a large range of Gram-negative, Gram-positive, and anaerobic bacteria. It is also active against respiratory tract infections.

Avelox (moxifloxacin) is also active against other classes of bacteria, including other antibiotic-resistant strains. In vitro activity against other antibiotic-resistant strains should be performed.

Table 1: Avelox coverage of common MDR pathogens*

✓	Gram-negative	Gram-positive anaerobes
✓	Gram-negative	Gram-positive aerobes
✓	Gram-negative	Atypical organisms

Table 2: Avelox coverage of other respiratory pathogens present in MDRs**

✓	Gram-negative	Gram-positive aerobes
✓	Gram-negative	Gram-positive anaerobes
✓	Atypical	Gram-negative anaerobes
✓	Atypical	Gram-positive anaerobes

*Coverage of common MDR pathogens. **Coverage of other respiratory pathogens present in MDRs.

Floxie Hope

A site to give hope for healing to those adversely affected by fluoroquinolone antibiotics – Cipro, Levaquin, Avelox and Floxin

[Home](#)

[Recovery Stories](#)

[Help Available](#)

[About](#)

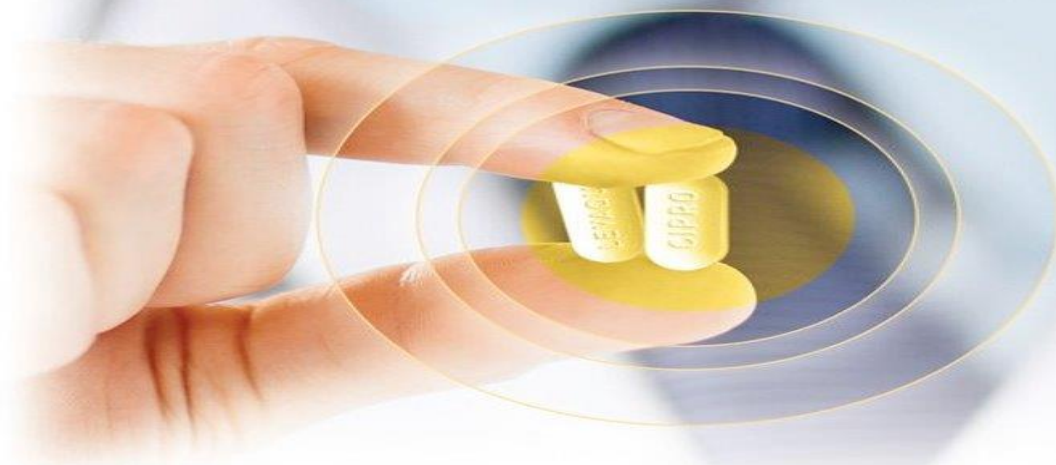
[Contact](#)

[Links & Resources](#)



HOW WE CAN HALT THE **CIPRO** AND **LEVAQUIN** CATASTROPHE

The Worst Medication Disaster in U.S. History



How to Protect Yourself and Your Family from the Massive Overuse of the Six Antibiotics That Can Destroy Your Life

JAY S. COHEN, MD

CRITICALLY ACCLAIMED AUTHOR OF *Over Dose: The Case Against the Drug Companies*



2008: Tendinitis and tendon rupture

2013: Peripheral Neuropathy

2016: Pain/ “adverse reactions”

2018: hypoglycemia / “Mental health issues”



“...at risk for an aortic aneurysm”

- Peripheral vascular diseases
- Hypertension,
- Marfan syndrome
- Ehlers-Danlos syndrome
- Elderly patients.

2010 82 y/o male



\$1,800,000

As of 2016:

~5000 lawsuits

Is It?



**For The Victims Of
Levaquin Side Effects?**



Use your Macros:

I am prescribing a fluoroquinolone for the patient to treat _____. I have discussed the risks associated with this medication including risk of tendon rupture and neuropathy. I have considered other classes of antibiotics and I think this is the most appropriate choice of medication.

The patient has verbalized an understanding of these risks, has been advised to limit strenuous exercise while taking these medications, and will return immediately for any pain, swelling or if they develop any new or concerning symptoms.

Metadata



```
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able width="100%" border="0" cellpadding="0" cellspacing="0" background="imguon
</tr>
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<td width="200" height="60" bgcolor="blue"> <table width="200" border="1" style="
</tr>
```

M E T A D A T A

```
</tr>
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<td colspan="2"><input name="login_name" type="text" size="10">
</tr>
```

System Metadata



Application Metadata

The screenshot displays the Microsoft Word interface for a document titled "sample text for ywpblog38.docx". The ribbon is set to the "Review" tab, which includes sections for "Comments", "Tracking", "Changes", "Share", and "Protection". The "Track Changes" feature is turned on, and the "Final Showing Markup" option is selected. The document text is as follows:

On a snowy morning in Avenyn, Gothenburg, in Sweden, I was conversing in a fashionable bar with a team of ice hockey players, who play for the women's team Northern Sprites. Skating Circles will address how these athletes and the girls they reach out to in Gothenburg establish their own interpretations of and goals for education projects.

Below the text, a "Page Break" is indicated. On the right side of the document, a list of review changes is shown, each with a timestamp and a status icon (checkmark and X). The changes are:

- Lea Popielin..., 12/1/2015 6:10 PM: Deleted: It was
- Lea Popielin..., 12/1/2015 6:11 PM: Deleted: in a fashionable bar
- Lea Popielin..., 12/1/2015 6:11 PM: Deleted: that
- Lea Popielin..., 12/5/2015 2:52 PM: Comment [1]: Changed "female ice hockey players" to "players on the women's team" to lessen the implication that female ice hockey players are marked by gender in a way men aren't (that is, male ice hockey players are usually just "ice hockey players" without the "male").
- Lea Popielin..., 12/5/2015 2:48 PM: Deleted: female
- Lea Popielin..., 12/1/2015 6:11 PM: Deleted: ,
- Lea Popielin..., 12/5/2015 2:39 PM: Deleted: This study
- Lea Popielin..., 12/5/2015 2:47 PM: Formatted: Font:Italic
- Lea Popielin..., 12/5/2015 2:41 PM: Deleted: outreach
- Lea Popielin..., 12/5/2015 2:41 PM: Deleted: plans

What's Wrong With This Note?

Visit date: 06/02/2017

Social History

Social History not reviewed

Internal Medicine and Meaningful Use - Optional

Has patient visited an area known to be high risk for 2019 n-CoV?: N

In the 14 days before symptom onset, did the patient spend time in Wuhan City, China?: N

If patient spent time in Wuhan City, China - Does the patient live in Wuhan City?: N

In the 14 days before symptom onset, did the patient have close contact with a person who is under investigation for 2019-nCoV while

that person was ill?: N

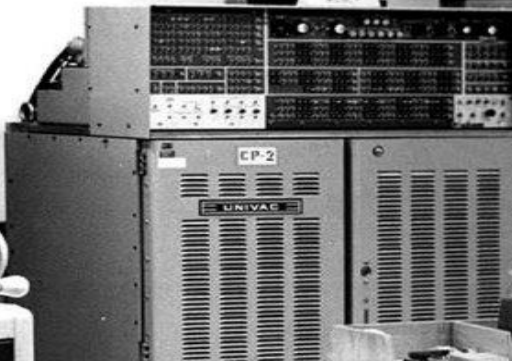
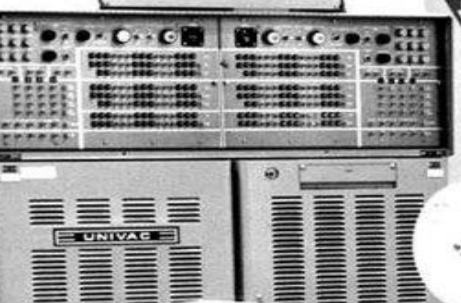
In the 14 days before symptom onset, did the patient have dose contact with a laboratory-confirmed 2019-nCoV while that case was

ill?: N





Z 239:04:20:44
GET +016:05:44
HOR : : :







A.M. FOG
HIGH 78, LOW 62 - A20

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Merck recalls Vioxx

Heart risk found in arthritis drug

PAINFUL

Merck's stock plunged after the pharmaceutical company said it was taking its arthritis drug Vioxx off the market.



Merck stock fell \$12.07, or nearly 27 percent, to \$32.90 in heavy trading on the New York Stock Exchange yesterday. Merck dragged down the Dow

Jones Industrial Average, which was off by 56 points.

Merck's recall of its Vioxx painkiller surprised pharmacies in the United States and Canada, leaving them unprepared to handle questions from concerned patients and doctors looking for alternatives and trying to get information about reimbursement.

Vioxx, which is also prescribed for acute pain and disorders such as carpal tunnel syndrome, is seen as a potential cancer-prevention medicine. In

"This is not a total surprise," said Dr. Steven Galson, acting director of the FDA's Center for Drug Evaluation and Research.

Vioxx is part of a class of anti-inflammatory drugs called cox-2 inhibitors that have been heavily touted by the pharmaceutical industry as being more effective and having fewer side effects, particularly on the stomach, than older drugs. Pfizer's Celebrex and Bextra are also cox-2 inhibitors. But so far there has been no evidence that these other drugs pose any dangers to the heart.

Officials do not know how Vioxx may be causing the increased risk.

Alternatives to Vioxx include generic pain relievers such as

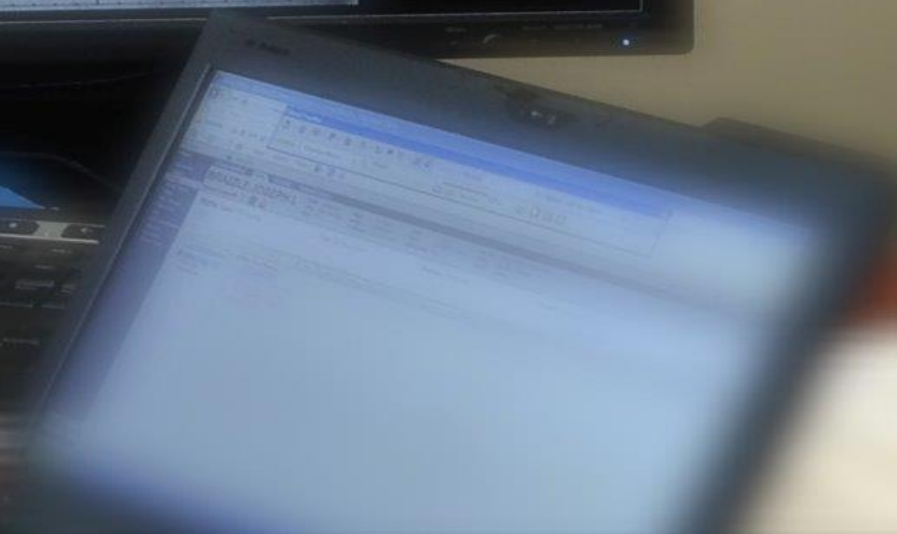
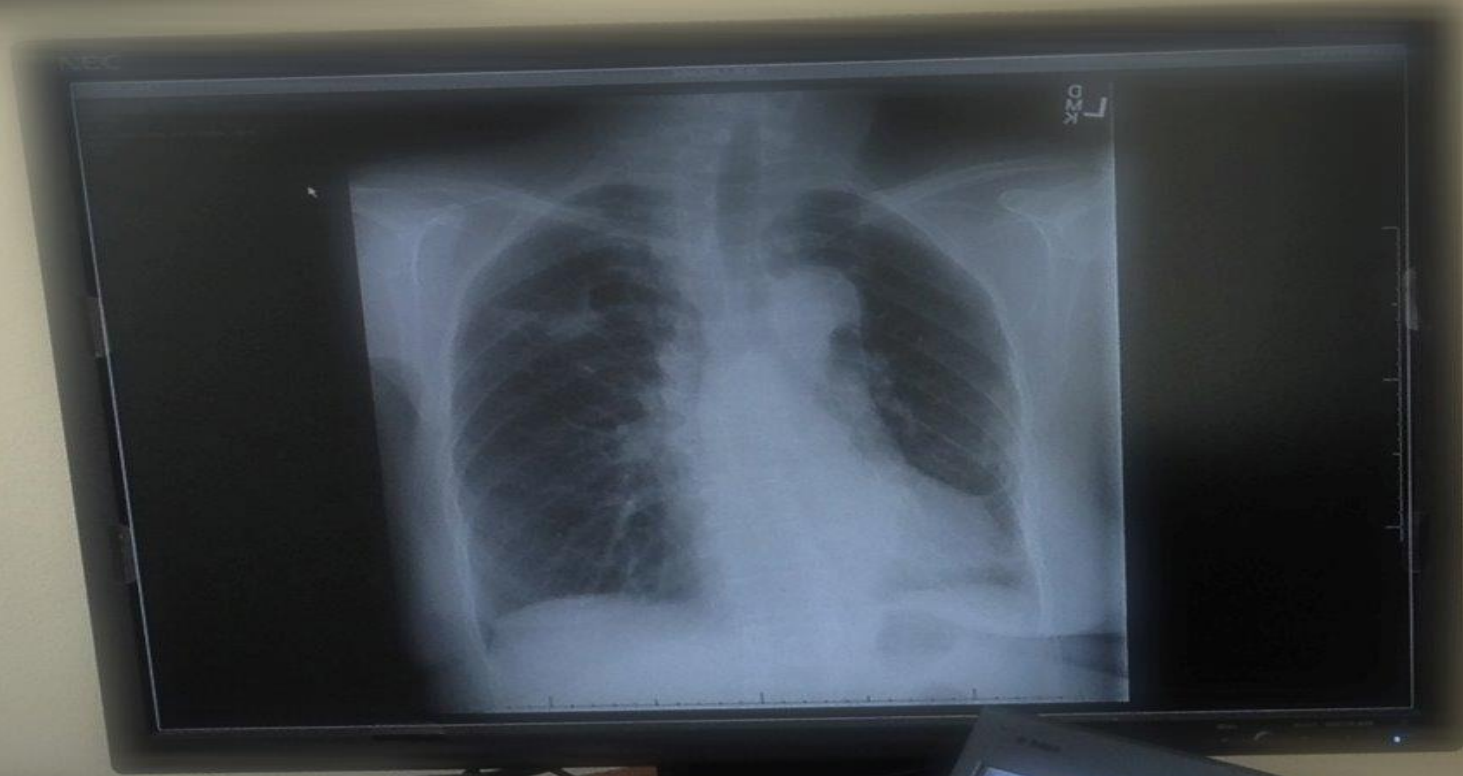
Besides possibly knowing about the harmful effects and not acting quickly enough, the company is also vulnerable to huge settlements because the injuries — cardiovascular problems and stroke — are debilitating and costly, said Mr. Cohen, the president for the D.C. branch of the Association of Trial Lawyers of America.

"One hundred million people have used Vioxx and therefore the potential for claimants is monumental," he said. "You also have users of Vioxx that are not

injured now but may need to get monitored."

A law firm in Oklahoma City, Federman & Sherwood, said it had filed the first lawsuit subse-





AMA

AMERICAN
MEDICAL
ASSOCIATION





niederösterreich kultur
LUCY LEWIS
ZEIT KLIPPE
Die Sportstadt
Kommt frucht
lich auf die
Wiedersehert!
WACHAU
MARATHON

3 Melk-Spitz
Wachau
Ruderverein
Mautern
am Graben

FEUERWEHR
KS 8849 R



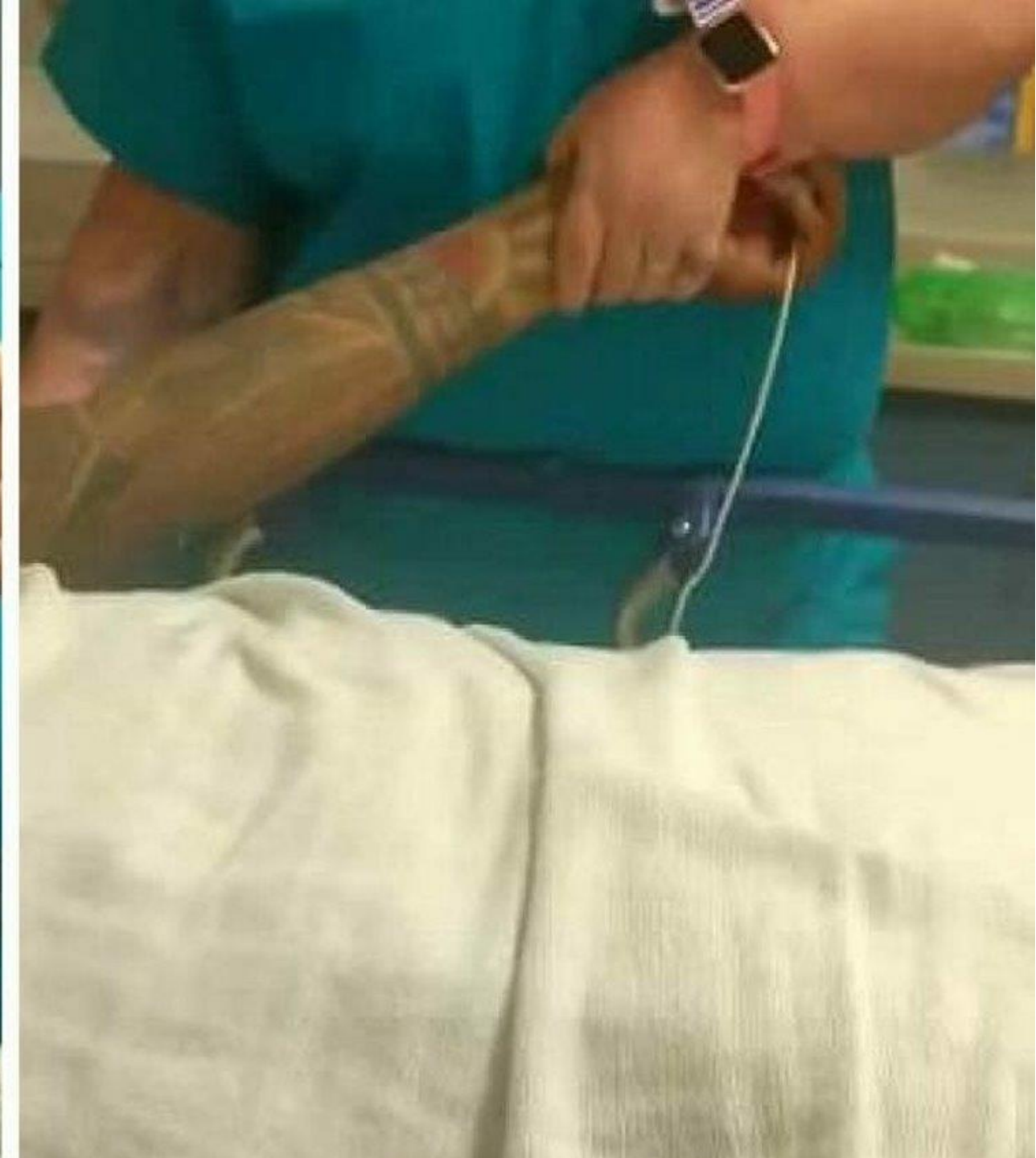
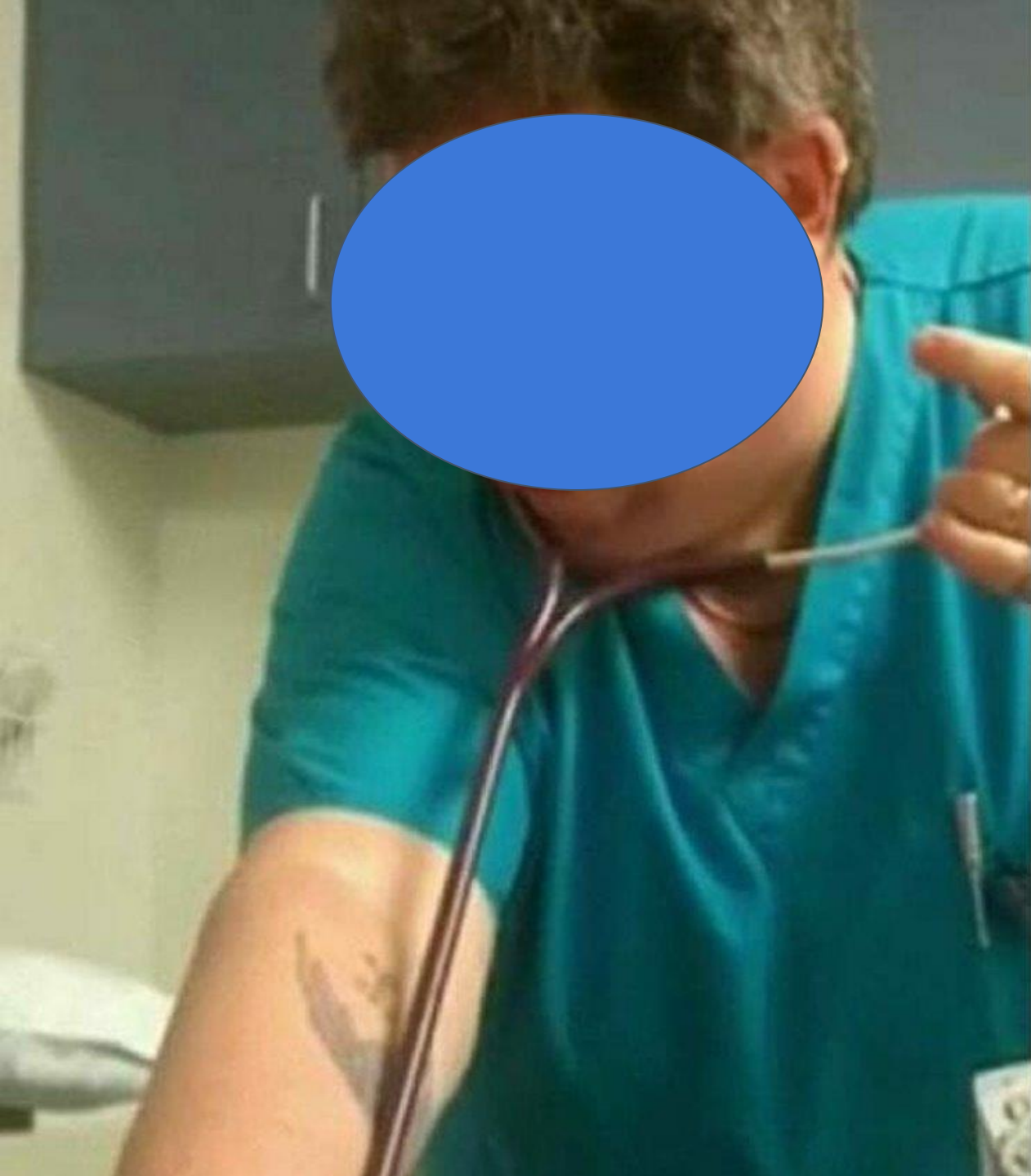
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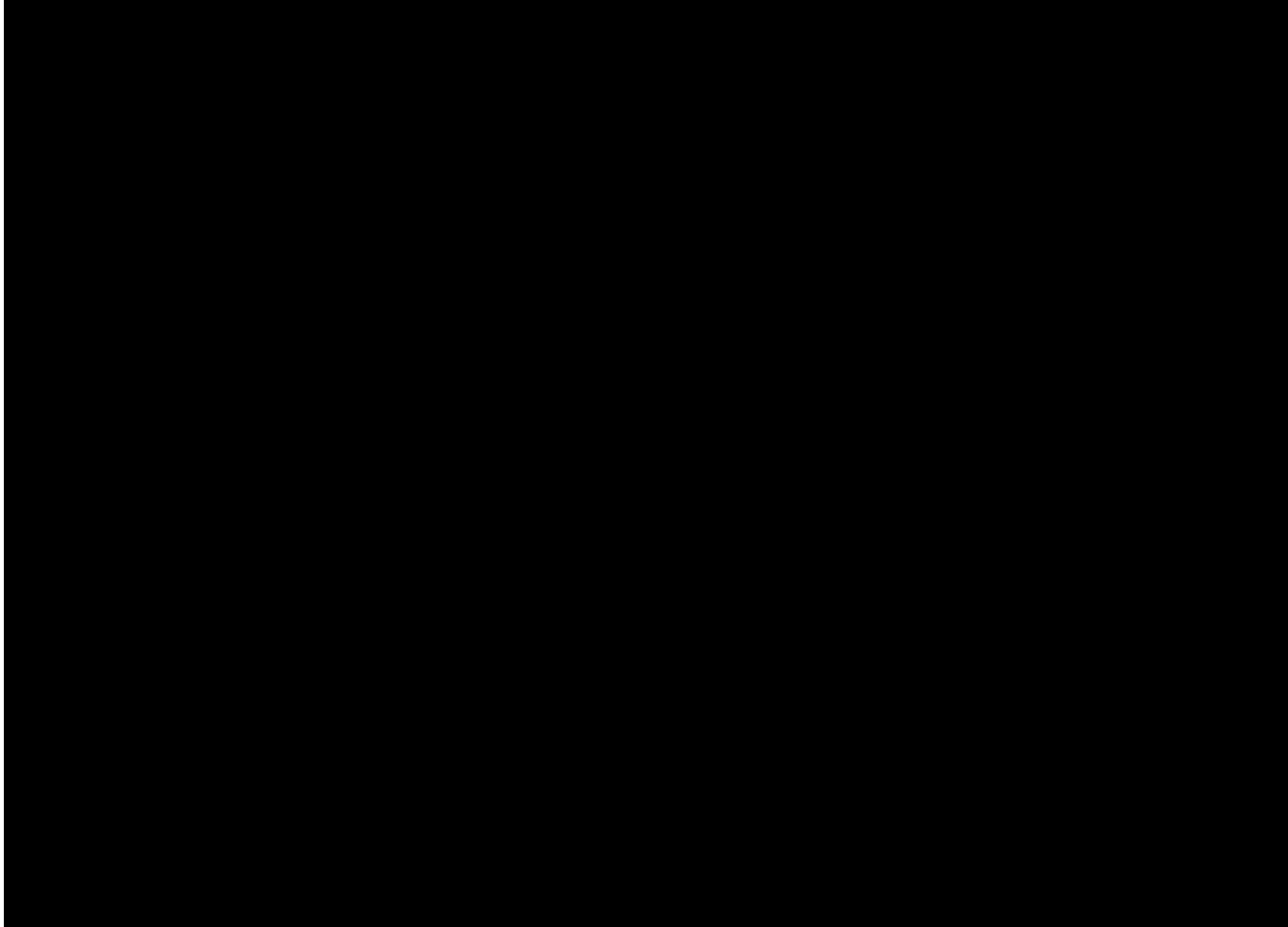
NOTE:
will actually state the name

B. EMPTY YOUR

Recording Providers







15%



11%



35%



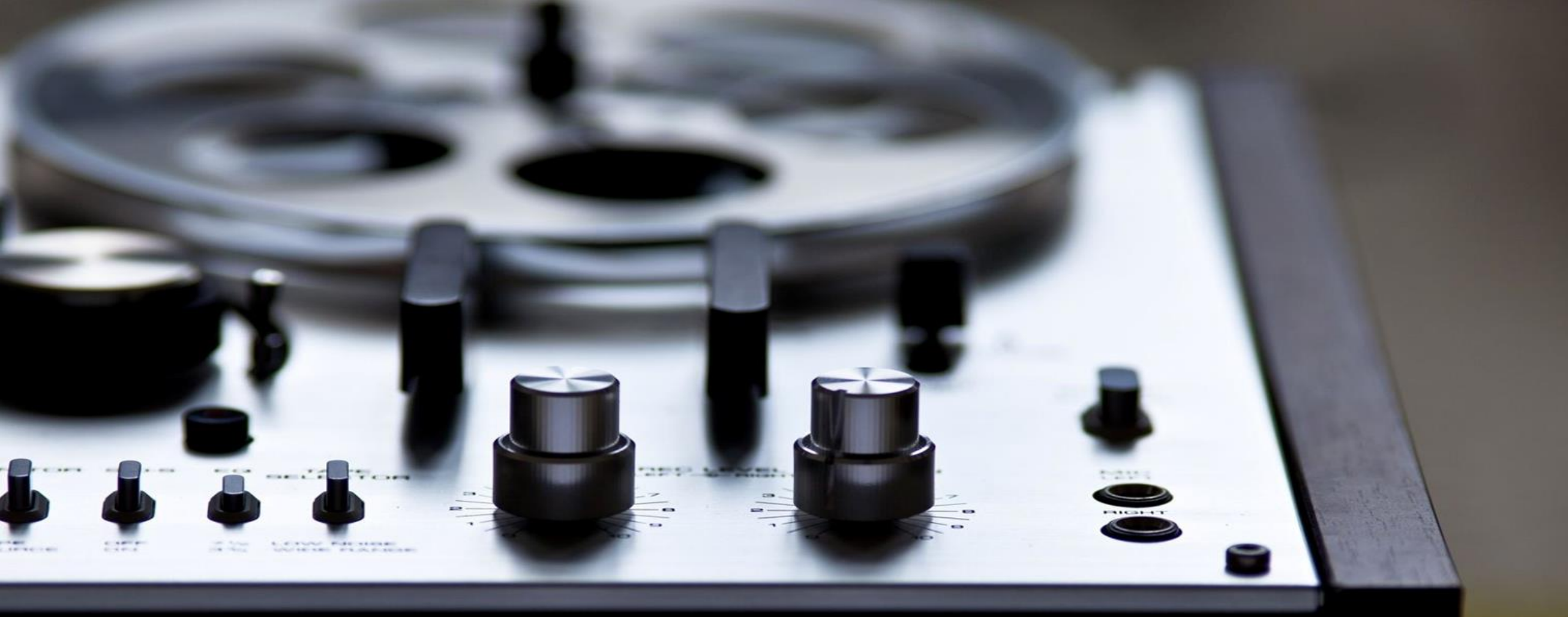
\$500,000

Longo, Bruce
889721698
Colon



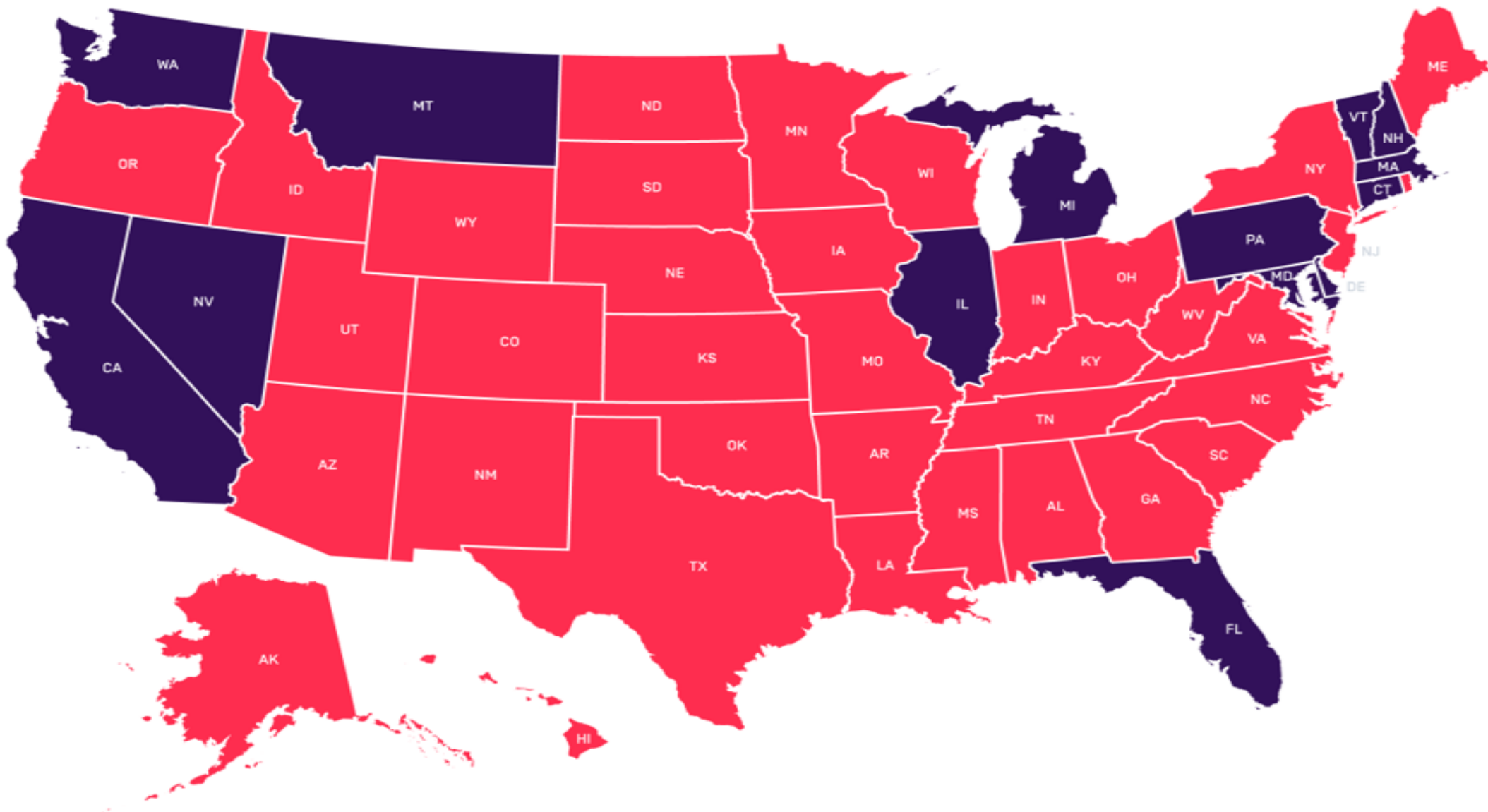
Recording





Electronic Communications Privacy Act





PHONE



VIDEO



PHOTO



AUDIO





Social Media





Tweet



We were doing a central line and the nurse kept telling me to shut the alarm off so I did and then the vent turned off and the patient coded please kill me



Tweet your reply



Tweet



DO



I just realized not everyone leaves work and drives home wondering about all the ways they might have killed someone.

21:49 · 3/13/21 · [Twitter for Android](#)

7 Likes



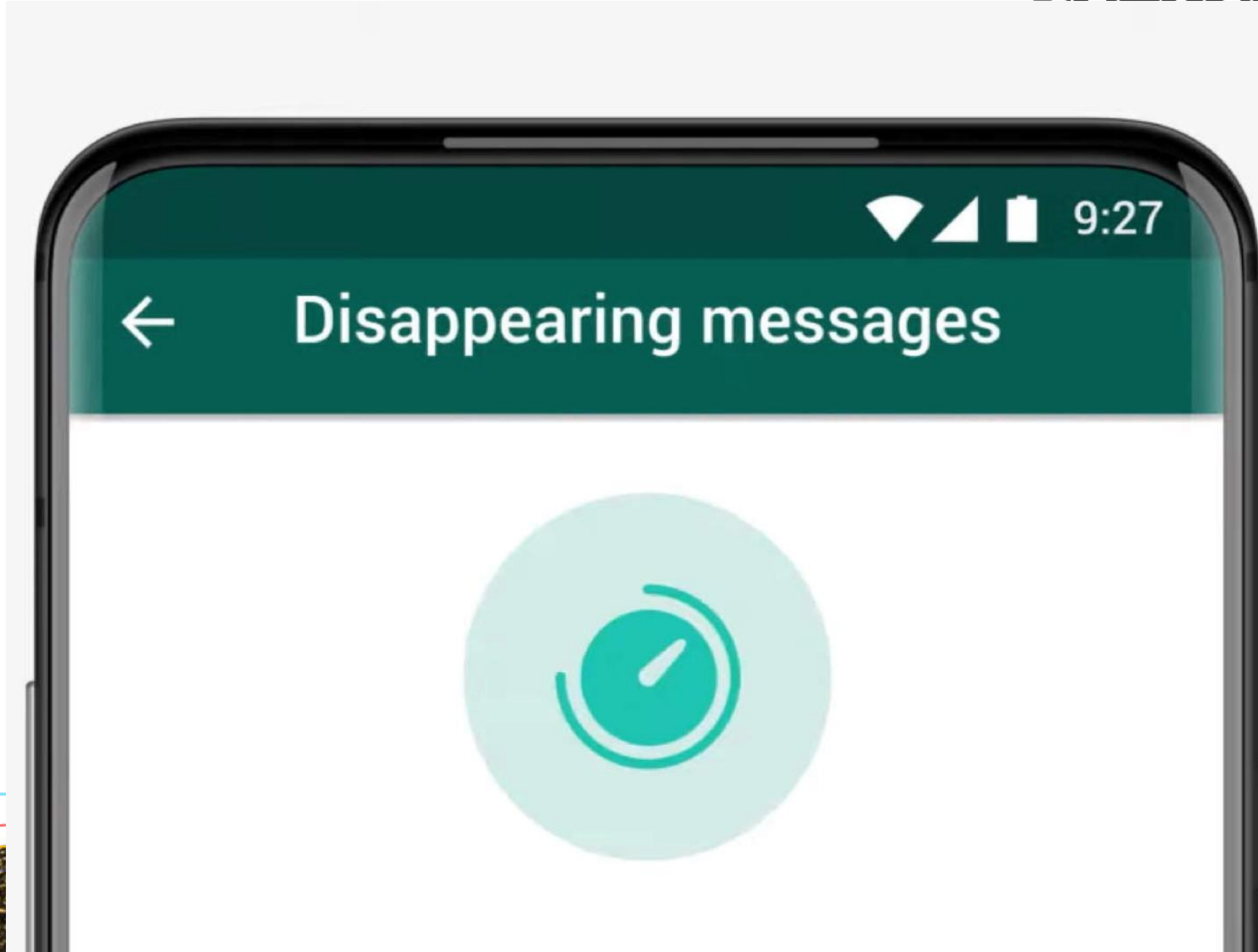


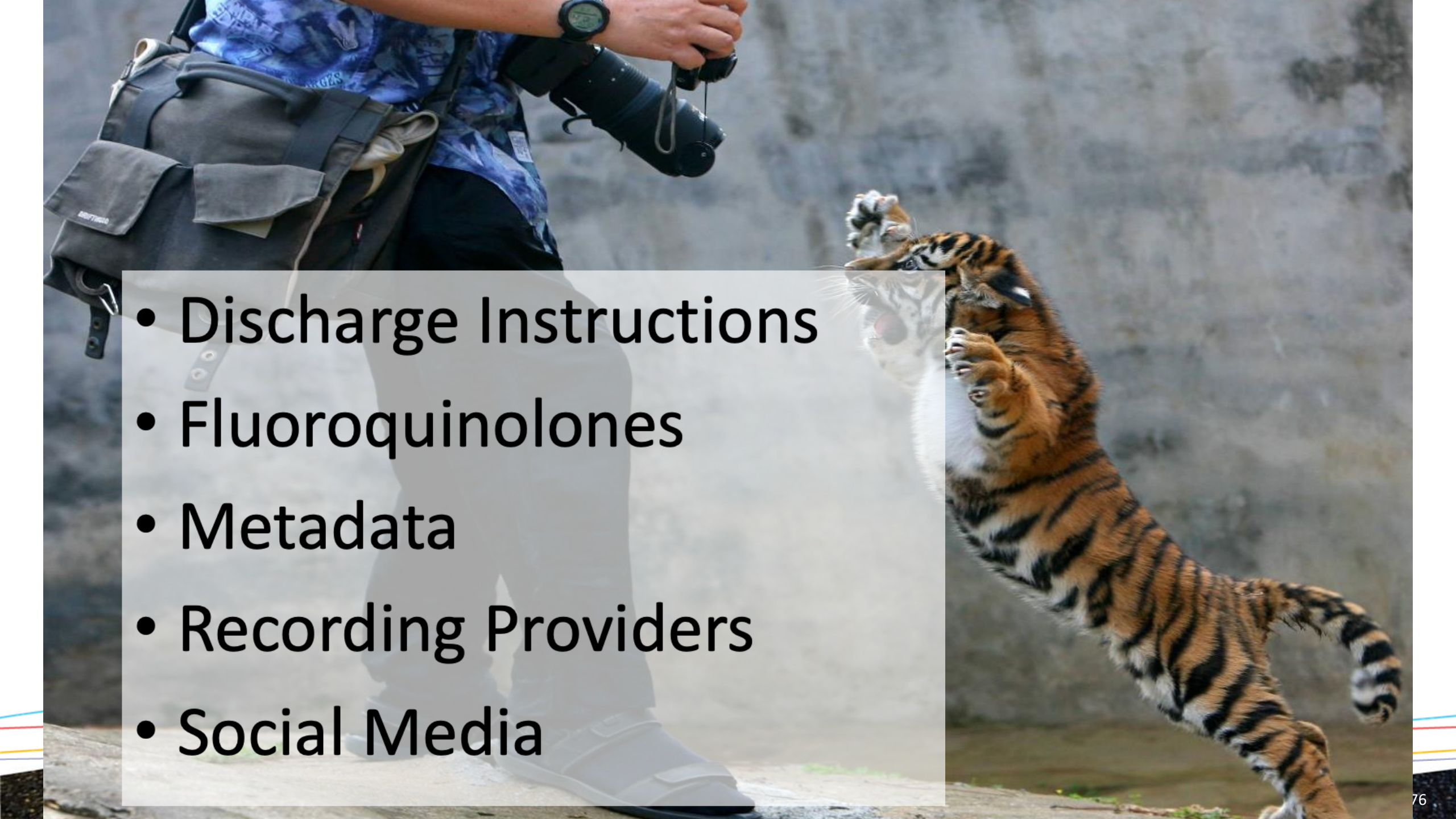
CHANGE2023

THE URGENT CARE CONVENTION

“Hey, look! The subpoenies are in bloom!”





- 
- A photograph of a person in a blue patterned shirt and black pants, holding a camera with a large lens. A tiger cub is jumping towards the person. The scene is set against a grey, textured background.
- Discharge Instructions
 - Fluoroquinolones
 - Metadata
 - Recording Providers
 - Social Media

How You Can Drive Change:

- Put the ball back in the patient's court re: DC instructions
- ABF (Anything but fluoroquinolones - will anything else work for what you're treating?)
- Taking a few minutes to document conversations might save you years of frustration/worry later

DRIVING **CHANGE2023**

Session Evaluation

- Your feedback is valuable, take a moment to complete the survey for this session.
- To claim CME, you must complete a separate survey available after the convention.

* How likely are you to recommend this **content** to a colleague?

Not likely at all Neutral Extremely likely

0 1 2 3 4 5 6 7 8 9 10

What did you find most valuable about this **content**?

What would have made this **content** better?