

When clients see multiple AEPs

Guild Insurance regularly analyses claims data to understand factors contributing to claims and complaints. This analysis has highlighted a trend where claims involve treatment by at least two people within

the same profession. This finding led Guild Insurance to explore why a client seeing more than one AEP may lead to a claim arising and what can be done to prevent this.

Why would a client see a second AEP?

Common scenarios where a client would see a second AEP includes:

- > some clinics operate in a way where seeing a client is shared between various AEPs
- > clients may change clinics over time, such as when they've changed work location or moved house
- > a client may require an urgent appointment and can't get in to see their usual AEP so chooses to see another

The situations which are most concerning are the occasions when a client is unhappy with the treatment or session they've received and therefore chooses to go elsewhere for a second opinion or further treatment/sessions.

What can go wrong?

Not all situations where more than one AEP is involved in treatment will lead to issues arising. However, the following cases highlight how complaints can occur.

Case example 1

A client was receiving treatment for chronic shoulder pain by her AEP over a period of a few months. She then moved interstate so went to see another AEP for the same complaint. This second AEP disagreed with the course of treatment and proceeded down a different path. The client then complained to the first AEP, and demanded a refund of fees paid, alleging he provided treatment which exacerbated her condition.

Case example 2

A client had been undertaking an exercise program with an AEP. He didn't feel that he was experiencing any benefit after a number of sessions so decided to see another AEP. The second AEP made some minor changes to the exercise program. As the client's condition improved, the client formed the view that original program was unsuitable and therefore complained to ESSA alleging professional negligence.

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How can this be avoided?

Don't make comments to a client judging the treatment or session another clinician has provided. It's possible that the situation you're seeing is not exactly the same as the first AEP saw. Also, if the client has told you what the diagnosis and treatment was, it's possible they might be wrong due to their lack of understanding. Making even what you see as a small or insignificant comment to a client regarding the choice and quality of treatment provided by another AEP could be enough to encourage that client to make a complaint or a demand for compensation.

If you're seeing a client for the first time, be careful to not fall into the trap of simply relying on the client telling you what their regular treatment or session entails or just relying on previous client notes. You need to have a thorough understanding of the client's condition and how it may have changed over time. Only then can you decide what will be most appropriate.

If you've taken over the treatment of a client from another AEP whose notes are insufficient, you may need to spend some time doing further assessment before continuing on with their 'usual' treatment. It's advisable to engage the client in a positive conversation on why you're doing that, so as to manage their expectations.

Managing client expectations from the outset is vital. Make clients aware of what to expect from their sessions; they won't want surprises. The more they understand about their sessions and likely outcomes, the less likely they are to be dissatisfied and go elsewhere.

Building relationships with clients is an important element in running a successful business. Get to know your clients and give them a reason to trust you and come back to you.

Where appropriate, contact your clients after their treatment/session. If you expect them to be in some pain or discomfort following the session, they may appreciate you making contact to check how they're feeling. If your clients haven't returned for a follow up appointment, call them to find out why. This gives you the opportunity to discuss any concerns they may have about their treatment/session.



Clients can become frustrated with ongoing costs of sessions, especially if they aren't seeing the benefit they'd expected. Always be open and upfront about the cost of treatment/sessions. And where possible, let them know how many appointments you anticipate they'll need as well as what they can do to self-manage their condition.

When you've been seeing a client over a long period of time, continue to keep your communication with them up to date and professional. Clients generally expect to be given the most current information on their treatment and what outcomes are likely. Never assume they have a complete understanding and continue educating them on positive lifestyle habits.

Avoid offering refunds or free sessions in the event of a poor or unexpected outcome. This may be seen by the client as an

admission of responsibility or liability and they may expect that discounted or free sessions will continue. Always contact Guild Insurance on 1800 810 213 before offering any form of compensation to a client.

Documentation is vital! The key to dealing with a dissatisfied client who's considering making a claim or complaint against you is your accurate client records. If your work is being questioned by a client, another AEP or ESSA, you'll need a record of the facts behind your decision making.

And finally, maintain a high level of professional and appropriate behaviour at all times, both when treating clients and also anytime you're communicating and interacting with them. This not only reflects well on you, it can also improve the public perception of exercise and sports professionals.



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