

Reducing common complaints in osteopathy.

Guild Insurance spends a great deal of time analysing claims and/or complaints relating to osteopathy treatment. This involves complaints made directly to the osteopath or osteopathy practice as well as complaints to a regulatory body such as Ahpra. This analysis helps Guild better understand a number of key details such as:

- > what the complaint or allegation is about
- > what the factors are which may not be mentioned in the complaint yet have contributed to the incident and therefore the complaint occurring
- > what could have been done differently to possibly avoid the complaint from occurring

This information is then used to develop what Guild calls risk messages for osteopathy. These are pieces of information which will guide the profession in relation to risk management tips and strategies to reduce the likelihood of complaints being received. It's important to understand that risk management can't guarantee a poor outcome or complaint won't ever occur. However, by adhering to the following messages, osteopaths are taking positive steps to reduce the likelihood.

10 risk messages

1. Ensure you make communication a key feature of your work

Guild's claims analysis suggests that poor communication is a feature in almost all treatment related complaints. While patients rarely complain about poor communication, although this does happen, when an incident is investigated poor communication is quite often a factor. Osteopaths must continually focus on their communication with patients, patient's families where relevant, colleagues and other health professionals. Remember to explain what you do and why during your treatment. Good clinical skills alone aren't enough to make someone a safe and effective osteopath.

2. Know and adhere to all Ahpra requirements

As a health professional registered with Ahpra, it's every osteopath's responsibility to make themselves aware of what's required.

This means making the time to seek out and read the numerous codes and guidelines found on the Ahpra website (ahpra.gov.au). Some of these documents detail what's considered best practice. However, some information

actually refers to the law. Not knowing this information is no excuse for not adhering to it.

3. Adhere to the advertising guidelines

Ahpra's expectations regarding advertising are explained in the Guidelines for Advertising Regulated Health Services document which can be found on the Ahpra website. There are numerous complaints continually being lodged with Ahpra alleging health professionals are breaching these guidelines. Osteopaths need to be aware these guidelines specify what's required under the National Law and non-compliance is a criminal offence for which hefty fines can be imposed.

4. Ensure there has been an adequate assessment process prior to treatment

Assessing before treatment seems like an obvious suggestion. However, it's not uncommon to see claims where the assessment process hasn't been thorough enough leading to treatment which is inappropriate or ineffective. The assessment process should not be rushed. Details of the assessment and findings are to be recorded in the clinical record and osteopaths must be sure they don't make assumptions or fall into routines. Remember, poor assessment usually leads to poorly selected treatment.

5. Manage patient expectations

It's important that patients have realistic expectations regarding their likely treatment outcomes. Unrealistic expectations are rarely met. Unmet expectations will often lead to patients being dissatisfied with treatment and more likely to complain. It's the responsibility of the osteopath to be sure a patient's expectations are realistic before treatment begins. Osteopaths must remember that in most cases patients won't have the clinical knowledge and understanding they have. Osteopaths should never assume a patient understands their treatment or what is likely to happen post-treatment; they must have a conversation to ensure this understanding.

6. Be sure patients have given their informed consent to treatment

Patients must be given the opportunity to provide their informed consent to treatment before being treated. Informed consent requires a conversation between the treating osteopath and patient about recommended and alternate treatment options as well as the benefits and risks for each of those options. Informed consent should include informed financial consent which is a discussion about the expected costs of treatment. Details about this consent discussion should be recorded in the clinical record. Signing a generic form at reception prior to the first treatment is not informed consent.

7. Be mindful of treatment around sensitive areas

Guild Insurance sees numerous claims each year where a patient has accused an osteopath of touching them inappropriately during treatment. In the majority of these cases, the treatment has been appropriate and justified. However, the osteopath's communication about the treatment has been lacking leaving

the patient confused about where and how they've been treated and why. Never make an assumption about a patient's understanding or comfort level. Be sure they understand the treatment and the reason for it before you proceed, particularly when treating around sensitive areas. It's the osteopath's responsibility to explain the treatment in simple, non-clinical language so the patient understands. And be sure to always use appropriate coverings, such as towels, to ensure patient modesty is protected.

8. Refer to another practitioner when required

Osteopathy plays a key role in the Australian healthcare system; however it's important to understand that other health professionals do too. There will be occasions when a patient presents for treatment, yet the osteopath won't be the most suitable person to provide that treatment. Osteopaths must recognise those occasions and be sure they refer those patients to the appropriate professional. Sometimes the most appropriate treatment an osteopath can provide is no treatment at all.

9. Don't allow yourself to be coerced into doing things against your better judgement

There will be occasions when an osteopath is being asked to do something they don't believe is in the best interests of the patient. At times they'll find they're actually being coerced or forced into something even when they've advised against it. This may be when a patient is asking for a particular type of treatment which the osteopath doesn't believe is clinically justified. Or when an osteopath has decided against treating a patient, yet the patient insists on some form of treatment. Osteopaths need to be sure they aren't convinced to do something they don't believe is

appropriate. They must remember that they're always responsible for their clinical decisions and they need to be sure they can justify those decisions.

10. Maintain adequate clinical records

Clinical records are an osteopath's history and evidence of what took place and they serve numerous purposes. They assist with ongoing clinical care as no osteopath can remember how they've treated every patient in every consultation. They also assist as evidence if an osteopath's treatment is ever questioned by a patient, regulator, or private health insurer. And finally, they're necessary for meeting the expectations of the Osteopathy Board of Australia.



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