

Developing and Managing a Patient Safety Evaluation System

Don't re-invent the wheel

Some organizations that are considering joining a PSO may find the notion of developing a Patient Safety Evaluation System (PSES) daunting. Don't let this feeling stall your interest in participating with a PSO. Establishing a PSES doesn't need to involve substantial initiation of new departments, programs, committees, or bureaucracy within your organization. The most effective PSES will likely draw from your existing patient safety, quality, and improvement activities and staffing.

Tell me again...what is a Patient Safety Evaluation System and why do I need one?

A Patient Safety Evaluation System (PSES) is a defined space that becomes the protected legal environment for collecting, managing, and analyzing information for reporting to or by a PSO. This protected legal environment may provide more protection than less protective state laws. Within the protected space of the PSES, healthcare providers may candidly consider and analyze quality and safety information with the assurance that such activities are both confidential and privileged (some exceptions apply).

For healthcare providers to be able to apply the federal privilege and confidentiality protections granted by the Patient Safety and Quality Improvement Act of 2005 (Patient Safety Act), they must create a PSES through which the organization collects eligible patient safety work product with the intent of providing it to one or more PSOs for analysis and feedback.

It may help to approach the work of establishing your PSES by breaking it down into the following four steps:

Step 1. Understand the Terminology and Concepts Related to Your PSES

- ▶ Before engaging with a PSO or developing a PSES, it is important that you become familiar with the related legislation and terminology. Some resources that can help you to accomplish this step include:
 - The ECRI Institute PSO website: <http://www.ecri.org/psa>
 - The text of the Patient Safety Act: <http://www.psa.arhrg.gov/statute/pl109-41.htm>
 - The November 2008 final rule implementing the Patient Safety Act: <http://edocket.access.gpo.gov/2008/pdf/E8-27475.pdf>

Step 2. Define Your PSES

- ▶ Take stock of what you're already doing to improve patient safety and quality of care, and then determine whether your existing systems and processes can be included in or serve as your PSES.

Step 3. Implement Your PSES

- ▶ Implement the PSES policies, procedures, and staff support you have defined. In order to apply the federal privilege and confidentiality protections granted by the Patient Safety Act, you will have to be able to substantiate that your patient safety information is appropriately and consistently managed within the boundary of your PSES.

Step 4. Manage and Evaluate Your PSES

- ▶ Periodically review your PSES to determine whether:
 - It includes the right information
 - Staff members are following policies and procedures and working within the PSES as you intended
 - You are submitting patient safety work product to your selected PSO and are receiving useful analysis and feedback from that PSO
 - By taking some logical, incremental steps, you're likely to find that an effective, successful, and compliant Patient Safety Evaluation System is well within your reach!



How Can We Help You?

Whether you have questions about the final rule or want to learn more about ECRI Institute PSO and/or support for other PSOs, we would be happy to hear from you. Please contact ECRI Institute at psa@ecri.org or call (610) 825-6000, ext. 5558.