



# Massachusetts Psychiatric Society's 2020 Risk Avoidance & Risk Management Conference

## Program Overview

We are pleased to present the 2020 Risk Avoidance and Risk Management Conference. This activity is designed to inform psychiatrists about the strategies available to navigate the complicated world of psychiatric practice. The lectures will address the following key areas:

- Psychiatrists interfacing with the legal system
- Testifying at deposition or trial
- Recent and revised regulations by the Board of Registration in Medicine
- Responsibilities regarding the prescription monitoring program and expanded expectations around informed consent
- Coping with complaints to the Board of Registration in Medicine or hospital disciplinary actions
- Planning for retirement including the emergency closing of a practice
- Electronic medical records and the requirements regarding electronic prescribing

- Adoption of telemedicine
- And other timely topics as requested by the audience

The primary goal is to explore “real life” concerns faced by practicing psychiatrists and to ensure these topics are addressed using the latest risk management principles from clinical and legal perspectives. Highlights of this year’s course include a presentation by Dr. Gutheil regarding the psychiatrist involved in court or other legal proceeding, a presentation by Attorney Michael Porter representing the MPS legal consultation plan and addressing the concerns of psychiatrists that arise all year. Anne Huben-Kearney, RN will present the perspective of a malpractice insurer as it relates to psychiatric practice and behavioral health. The conference will combine didactic presentations, informative written materials, and ample time for questions and answers, closing with an active and participatory panel discussion.

We encourage you to submit questions in advance to [dbrennan@mms.org](mailto:dbrennan@mms.org). You may also present questions in writing to the moderator on the day of the program.

## Program Objectives

At the conclusion of this activity, participants should be able to:

- Understand the various roles of psychiatrists interfacing with the law
- Appreciate the challenges of psychiatrists in court
- Utilize risk reduction tools and strategies in daily practice
- Be prepared to cope with a complaint to the board or hospital disciplinary proceedings

- Understand the requirements related to retirement
- Recognize the responsibility to prepare in advance for an unexpected hiatus from or sudden closing of your practice
- Appreciate the liability of consulting through telemedicine
- Reconciling the pros and cons of curbside consultations

**To register for this event, visit [www.psychiatry-mps.org](http://www.psychiatry-mps.org) or call (781) 237-8100**

### Accreditation Statement

The Massachusetts Psychiatric Society is accredited by the Massachusetts Medical Society to provide continuing medical education for physicians.

### AMA Credit Designation Statement

The Massachusetts Psychiatric Society designates this live activity for a maximum of 5.25 **AMA PRA Category 1 Credits™**. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

**Saturday  
March 14, 2020  
8:30 a.m.–3:30 p.m.**

Massachusetts Medical Society  
860 Winter Street, Waltham, MA 02451

## Program Schedule

- 8:30 a.m. Registration and Networking Breakfast
- 9:00 a.m. Welcome and Introduction  
**Mark J. Hauser, MD, Activity Co-chair and Moderator**  
**Jhilam Biswas, MD, Activity Co-chair**
- 9:15 a.m. The Psychiatrist Facing Legal Proceedings or Court: A Survival Guide  
**Thomas G. Gutheil, MD**
- 10:00 a.m. Questions and Answers
- 10:30 a.m. BREAK
- 10:45 p.m. ~Calls to the MPS Legal Consultation Plan: A Review of Psychiatrists’ Concerns and Strategies to Address them  
~Update Regarding New Board of Registration in Medicine regulations  
**Michael T. Porter, Esq.**
- 11:45 p.m. Questions and Answers
- 12:15 p.m. LUNCH
- 1:00 p.m. Risk Management and Behavioral Health: a Malpractice Insurer’s Perspective  
**Anne Huben-Kearney, RN**
- 2:00 p.m. Questions and Answers
- 2:30 p.m. “Ask the Experts” Session  
Panel Discussion and Open Forum  
**Mark J. Hauser, MD, Moderator**  
**Thomas G. Gutheil, MD**  
**Michael T. Porter, Esq.,**  
**Anne Huben-Kearney, RN**
- 3.30 p.m. Adjourn

This activity meets the criteria of the Massachusetts Board of Registration in Medicine for risk management study.



## Faculty

### Thomas G. Gutheil, MD

Dr. Gutheil is a professor of psychiatry and co-founder of the Program in Psychiatry and Law, Beth Israel Deaconess Medical Center, Massachusetts Mental Health Center, Harvard Medical School. A nationally known forensic psychiatrist and author of some 300 publications in the national and international professional literature, he was the year 2000 President of the American Academy of Psychiatry and Law and past president of the International Academy of Law and Mental Health. Dr. Gutheil was a Distinguished Life Fellow of the APA and the recipient of every major award in the forensic field, as well as multiple writing and teaching awards.

### Mark J. Hauser, MD

Dr. Hauser is a clinical and forensic psychiatrist. He is webmaster of the Program in Psychiatry and the Law at Beth Israel Deaconess Medical Center. He is a course director of risk management and liability prevention courses at Harvard Medical School. He has been on the conference planning committee for the annual MPS risk management conferences for the last 24 years and served as the moderator of the conference for the last 16 years. Dr. Hauser is a co-author of a chapter entitled "Fear of Malpractice Liability and its Role in Clinical Decision Making" in the book *Decision Making in Psychiatry and the Law* published by Williams and Wilkins. Dr. Hauser is MPS Past President and a Distinguished Life Fellow of the APA.

### Anne Huben-Kearney, RN

As an Assistant Vice President of the Risk Management Group, Anne provides risk management consulting services to Allied World's medical professional liability policyholders and insured psychiatrists, psychologists and psychiatric nurse practitioners and physician assistants. She works directly with policyholders to develop individualized action plans to mitigate potential loss based on their unique exposures and risk management needs. Additionally, Anne assists these clients with ongoing medical education programs as well as policy and procedure review and development.

Anne is a Registered Nurse with extensive clinical, managerial, and administrative experience in a variety of healthcare settings, such as tertiary care institutions, community hospitals, and physician office practices, as well as expertise in quality improvement, patient safety, and risk management.

Anne is a member of the American Society of Healthcare Risk Management (ASHRM), the National Association of Healthcare Quality (NAHQ), and the American Society of Professionals in Patient Safety (ASPPS). She is a Past President of the Connecticut Association for Healthcare Quality and Past Secretary and served on the Board of Directors for the Connecticut Society for Healthcare Risk Management. Anne serves on the ASHRM Faculty for the Patient Safety Certification Program. Anne presents frequently on national, regional, and local levels on topics related to risk management, patient safety, and quality improvement.

Anne earned a BSN degree, Magna cum laude, from Misericordia University and an MPA degree with a concentration in health care management from the University of New Haven. Anne is a Certified Professional in Healthcare Quality, Healthcare Risk Management, and Public Safety. She has received designation as a Distinguished Fellow in the American Society for Healthcare Risk Management and has been elected to the ASHRM Board for 2020-2023.

### Michael Porter, Esq.

Associate Attorney, Connor & Hilliard, P.C.

Attorney Porter has been with the firm of Connor & Hilliard for 19 years. His practice concentrating in health care law, primarily psychiatric health care. He serves as counsel to 15 different private hospitals: general hospitals with psychiatric units; or free-standing psychiatric hospitals. Responsibilities include courtroom representation in mental health civil commitments; guardianships. He advises individual clinicians and institutional clients on various health care law issues: risk management; confidentiality; civil rights as it relates to treatment setting. Attorney Porter has argued twice before the Supreme Judicial Court. In addition, he wrote three amicus briefs submitted to the SJC on matters involving health care law. He is the former assistant general counsel for the Department of Mental Health (5 years).



## Registration Form

To register, complete the registration form and mail it to Massachusetts Psychiatric Society, P.O. Box 549154, Waltham, MA 02454-9154. You may also register online at [www.psychiatry-mps.org](http://www.psychiatry-mps.org), by calling (781) 237-8100, or emailing [mps@mms.org](mailto:mps@mms.org).

Saturday

March 14, 2020

8:30 a.m.–3:30 p.m.

Massachusetts Medical Society  
860 Winter Street, Waltham, MA 02451

# 2020 Risk Avoidance and Risk Management Conference

FIRST NAME: \_\_\_\_\_ LAST NAME: \_\_\_\_\_ DEGREE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

Please check here if you have a disability and require assistance, or you may contact Debbie Brennan directly at [dbrennan@mms.org](mailto:dbrennan@mms.org) or (781) 237-8100, ext. 2.

REGISTRATION FEE	THRU 3/10	AFTER 3/10
<input type="checkbox"/> MPS/APA/MMS MEMBER	\$150	\$175
<input type="checkbox"/> RESIDENT/FELLOW/STUDENT	\$20	\$45
<input type="checkbox"/> NON-MEMBER	\$200	\$225

**CANCELLATIONS: REFUNDS WILL NOT BE OFFERED AFTER 3/10/20**

I HAVE ENCLOSED A CHECK PAYABLE TO MPS FOR \$ \_\_\_\_\_.

[CLICK TO REGISTER ONLINE](#)

## Questions?

Call (781) 237-8100, 8 a.m.–4 p.m. Monday thru Friday