



## Massachusetts Psychiatric Society's 2019 Risk Avoidance & Risk Management Conference

### Program Overview

We are pleased to present the 2019 Risk Avoidance and Risk Management Conference. This activity is designed to address the following key areas as requested by members at previous risk management conferences and during the conference planning process:

- Trends and best practices to reduce risks in psychiatric practice
- The electronic medical record
- Coping with a claim of malpractice liability
- What to expect and how to manage your defense when facing a complaint before the Board of Registration in Medicine or hospital disciplinary actions
- How the APA and MPS deal with an ethics complaint
- Problems charging Medicaid and Medicare patients privately
- Dealing with unfair reviews on rating websites
- The emergency closing of a practice
- Planning for retirement
- 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. Don Condie regarding the MPS and APA process for handling ethics complaints, and a presentation by Attorney David Gould regarding the defense of doctors facing disciplinary action before the

Board of Registration in Medicine or hospital committees.

Dr. Thomas G. Gutheil will share his wisdom about the application of risk management principles and strategies in clinical practice. Attorney James T. Hilliard will present a range of topics drawn from his experience providing the Legal Consultation Plan to MPS members. 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:

- Utilize risk reduction tools and strategies in daily practice
- Understand how the APA and the MPS handle ethics complaints
- Appreciate the liability of consulting through telemedicine
- Appreciate the liability of offering curbside consultations
- 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

Saturday  
**March 16, 2019**  
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.	<b>Welcome and Introduction</b> <i>Mark J. Hauser, MD,</i> <i>Activity Co-chair and Moderator</i> <i>Jhilam Biswas, MD, Activity Co-chair</i>
9:15 a.m.	<b>Applying Risk Management Wisdom in Clinical Practice</b> <i>Thomas G. Gutheil, MD</i>
10:00 a.m.	<b>Questions and Answers</b>
10:30 a.m.	BREAK
10:45 p.m.	<b>The Most Important Risk Management Questions of 2018 and Other Timely Topics</b> <i>James T. Hilliard, Esq.</i>
11:30 p.m.	<b>Questions and Answers</b>
12:00 p.m.	LUNCH
12:45 p.m.	<b>The APA and MPS Ethics Complaint Process: Understanding How It Works and Why We Do It</b> <i>Don Condie, MD</i>
1:15 p.m.	<b>Defending Doctors Facing Disciplinary Action before the Board or Hospital Committees</b> <i>David Gould, Esq.</i>
2:00 p.m.	<b>Questions and Answers</b>
2:30 p.m.	<b>"Ask the Experts" Session</b> Panel Discussion and Open Forum <i>Mark J. Hauser, MD, Moderator</i> <i>Thomas G. Gutheil, MD,</i> <i>James T. Hilliard, Esq., Don Condie, MD,</i> <i>David Gould, Esq.</i>
3:30 p.m.	Adjourn

### 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.

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 23 years and served as the moderator of the conference for the last 15 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.

### James T. Hilliard, Esq.

James Hilliard is a partner in the law firm of Connor and Hilliard, PC, specializing in health law with a concentration in psychiatry. He received his law degree in 1969 from Suffolk University Law School and was admitted to practice in the states of Massachusetts and Rhode Island in the same year. After serving nine years in state government, last serving as Undersecretary of Human Services, Mr. Hilliard formed the law firm of Connor and Hilliard in 1978. Jim is currently General Counsel to the Massachusetts Psychiatric Society and represents 11 private psychiatric hospitals. He also teaches law in the Department of Psychiatry at Harvard Medical School, where he is an assistant clinical professor. He has published numerous articles and book chapters on psychiatry and the law. Mr. Hilliard has recently co-authored a book entitled, *The Essentials of Massachusetts Mental Health Law...A Straightforward Guide for Clinicians of All Disciplines*, published by W.W. Norton.

### Don Condie, MD

Dr. Condie trained at the Massachusetts Mental Health Center in adult, child, adolescent, and forensic psychiatry, and has been on the faculty of Harvard Medical School since 1983. He is currently a lecturer in psychiatry at the Cambridge Health Alliance, after a quarter century in various roles at Massachusetts General Hospital. He has maintained a connection to public psychiatry since his training, having served as child psychiatrist for the southeastern area for the Massachusetts Department of Mental Health for many years as well as medical director of the Brockton Multiservice Center Crisis Unit. He is currently the medical director of Vinfen Corporation, which was started at MMHC more than 40 years ago and is now one of the biggest nonprofit mental health agencies in Massachusetts. He also maintains a private practice in forensic psychiatry and is currently chair of the Massachusetts Psychiatric Society Ethics Committee. He is a Distinguished Life Fellow of the American Psychiatric Association, a past president of the Massachusetts Psychiatric Society as well as the New England Council of Child and Adolescent Psychiatry, and a member of the Program in Psychiatry and the Law.

### David Gould, Esq.

Mr. Gould is a senior partner at Ficksman & Conley, LLP and Fellow of the American College of Trial Lawyers who has limited his practice for over 40 years exclusively to medical legal matters. He is a graduate of Suffolk Law School where he was a member of the Law Review. He has devoted his practice entirely to the representation of the medical community. He has been an active trial lawyer in the defense of medical litigation and represents health care providers before the Massachusetts Board of Registration. Mr. Gould co-directs a course at the Harvard Medical School Department of Continuing Education and lectures frequently to hospitals and medical groups on liability prevention. Mr. Gould has also expanded his practice to represent the health care community in New Hampshire. Additionally, Mr. Gould has been recognized as one of the top 100 lawyers in Boston by *Boston* magazine, is listed as a "Super Lawyer," and is listed as one of the "Best Lawyers in America." For 2019, Mr. Gould was voted by "Best Lawyers" as Lawyer of the Year for litigation defense in the Boston area. He has defended significant medical malpractice actions in the courts of Massachusetts and New Hampshire and is a frequent lecturer to lawyers in methods of trial practice.



## 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, faxing (781) 464-4896, or emailing [mps@mms.org](mailto:mps@mms.org).

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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 03/12    AFTER 03/12**

<input type="checkbox"/> MPS/APA MEMBER	\$150	\$175
<input type="checkbox"/> RESIDENT/FELLOW/STUDENT	\$20	\$45
<input type="checkbox"/> NON-MEMBER	\$200	\$225

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