
When Your Patient Makes the News...

You happen to be watching the news and are shocked to see one of the following reports:

- Your patient has committed suicide
- Your patient has been arrested, accused of murder
- Your patient has been the victim of a horrible crime

What should you do, and what should you not do?

YOU SHOULD call your professional liability insurance company right away to report an “event.” This is typically required under the policy, but it will also allow your insurance company to get involved right away to ensure that your interests are protected. With the examples listed above, it is very likely you will be contacted by some form of law enforcement, as well as possibly by the media.

IF YOU ARE CONTACTED BY THE PRESS: Do not speak to the media, regardless of whether information is sought by television or print or any other media. If you were treating the person, do not confirm that the person was even a patient. Even if you were not treating, but you happened to have done a curbside consult on this patient with the treating physician, do not reveal anything about your colleague’s patient or even the fact that you discussed this person with your colleague. You have a duty to maintain confidential information shared with you by another provider for treatment purposes.

IF YOU ARE CONTACTED BY A GOVERNMENTAL AGENT, such as law enforcement, the Medical Examiner, the prosecutor, etc. for information: Call your insurance company prior to responding for guidance on how to respond. If you are not able to speak with your insurance company immediately, the following guidelines may be useful in the interim:

- Do not assume that anyone is entitled to information about your patient, even for investigation purposes, regardless of what the investigator may say
- A patient’s arrest or even death is not an exception to patient confidentiality
- Consider responding as follows: “Any information I may have about this person would be confidential. I want to cooperate, but I need you to put your request in writing and cite your authority for the disclosure. Upon receipt, I will promptly process your request.”

Hopefully you will never find yourself in this position, but just in case, these tips may come in handy.



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