Department of Health and Human Services
Maine People Living Safe, Healthy and Productive Lives
Paul R. LePage, Governor
Mary C. Mayhew, Commissioner

Department of Health and Human Services
Commissioner's Office
221 State Street
11 State House Station
Augusta, Maine 04333-0011
Tel.: (207) 287-3707; Fax (207) 287-3005
TTY Users: Dial 711 (Maine Relay)

May 2, 2013

Senator Margaret M. Craven, Chair
Representative Richard R. Farnsworth, Chair
Members of the Joint Standing Committee on Health and Human Services
#100 State House Station
Augusta, ME 04333-0100

Dear Senator Craven, Representative Farnsworth, and Members of the Joint Standing Committee on Health and Human Services:

The Sentinel Events Reporting statute (22 M.R.S.A. §8754) directs the Department of Health and Human Services to submit an annual report to the Legislature, health care facilities and the public that includes summary data of the number and types of sentinel events of the prior calendar year. Attached is the Sentinel Events Report for calendar year 2012.

If you have any questions or would like further information, please feel free to contact Kenneth Albert, Director of the Division of Licensing and Regulatory Services at 287-6664.

Sincerely,

Mary C. Mayhew
Commissioner

MCM/klv

Attachment

Sentinel Events

2012

Annual Report to the Maine State Legislature

Department of Health and Human Services
Division of Licensing and Regulatory Services

Maine People Living Safe, Healthy and Productive Lives

Sentinel Event Annual Report prepared by:

The Division of Licensing and Regulatory Services
Department of Health and Human Services
41 Anthony Avenue
11 State House Station
Augusta, ME 04333-0011

For further information please contact:

Joseph Katchick, RN
Public Health Nurse Supervisor
(207)287-9300 or joseph.katchick@maine.gov

Kenneth Albert, RN, Esq.
Director, Division of Licensing and Regulatory Services
(207) 287- 9300 or kenneth.albert@maine.gov

Table of Contents

Executive Summary 4

Background 5

Sentinel Events Historically Reported 8

Sentinel Events Reported in 2012 11

Conclusions 13

Appendix A 15

This report may be found on the internet at:

http://www.maine.gov/dhhs/dlrs/medical_facilities/sentinelevents/home.html

The Maine Sentinel Event Reporting Statute may be found on the internet at:
http://www.mainelegislature.org/legis/statutes/22/title22ch1684sec0.html

The Rules Governing the Reporting of Sentinel Events may be found on the internet at:
http://www.maine.gov/sos/cec/rules/10/144/144c114.doc

Executive Summary

In 2002, Maine enacted Public Law 2001, Chapter 678 establishing a mandatory sentinel event reporting system. Since 2004 Maine Hospitals, Ambulatory Surgical Centers, End-Stage Renal Disease Facilities/Units, and Intermediate Care Facilities for Individuals with Intellectual Disabilities have been required to report whenever a serious, unexpected and preventable event, or medical error, known as a Sentinel Event, occurs. These events include unanticipated patient deaths, falls with serious injury, serious medication errors, patient suicide, surgery on the wrong body part, or an error resulting in a major loss of function. In 2012, 146 such cases were reported to the Maine Division of Licensing and Regulatory Services. The law further requires an annual report to the Legislature and public.

The number of cases reported, in and of itself, is not the most important information to focus on in this report. It is the lessons that are learned and the changes that are made as a result of these events that result in a safer environment for future patients.

In 2009, the statute requiring sentinel event reporting was amended to include new reporting requirements. Highlights of those changes include adoption of the National Quality Forum list of Serious Reportable Events and enhancements to the sentinel event definition to reduce ambiguity. Additionally, facilities are required to have standardized processes for the detection and reporting of all sentinel events.

In 2012, the most prevalent type of event reported was unanticipated death. Falls with significant injury, unanticipated transfers, pressure ulcers and retained foreign objects round out the top-five most reported adverse events.

Every facility is required to conduct an in-depth analysis after every sentinel event. The facility gathers a Root Cause Analysis team and launches a review of why the event occurred, and what steps will be undertaken to prevent a recurrence. The Sentinel Event Team and facility staff will share findings to stimulate discussion in an effort to identify opportunities for system improvements. The final report is sent to the Division within 45 days of discovery of the sentinel event. The Sentinel Event Team analyzes all events for statewide trends and features. Results are then shared in the Sentinel Event Annual Report.

The Maine program has been enriched by our active participation in the National Quality Forum (NQF) and the Agency for Healthcare Research and Quality (AHRQ). The NQF and the AHRQ bring together the 27 states, including the District of Columbia, with mandatory sentinel event reporting requirements to collaborate in a national dialogue on priorities and goals to improve patient safety by preventing adverse events in healthcare.

Background

This report is submitted in accordance with Maine law (22 M.R.S.A. §§8751-8756) that requires the Division of Licensing and Regulatory Services (the Division) to annually report to the Legislature, health care facilities, and the public on the aggregate number and type of sentinel events for the prior calendar year; including rates of change, causative factors, and activities to strengthen patient safety in Maine. This report is designed to:

- Build awareness of Maine's sentinel event reporting requirements and the follow-up process used by facilities and the State when events occur
- Provide aggregate information on the number and nature of sentinel events reported
- Identify patterns and make recommendations to improve the quality and safety of patient care
- Describe efforts to address under-reporting and enhance the role of sentinel event reporting in improving patient safety

Definition of Sentinel Event

Sentinel events are outcomes determined to be unrelated to the natural course of the patient's illness or underlying condition, or proper treatment of that illness or underlying condition. The law further characterizes sentinel events as:

- Unanticipated death
- A major permanent loss of function that is not present when the patient is admitted to the health-care facility
- Surgery on the wrong patient or wrong body part
- Hemolytic transfusion reaction involving administration of blood or blood products having blood group incompatibilities
- Patient suicide or attempted suicide resulting in serious disability
- Infant abduction or discharge to the wrong family
- Rape of a patient
- Unintended retention of a foreign object
- Patient death or serious disability associated with a fall
- Death or significant injury of a patient or a staff member resulting from a physical assault

In 2010, the entire list of the National Quality Forum (NQF) Serious Reportable List was formally adopted as part of the statutory changes. NQF serious events are structured around six categories: surgical, product or device, patient protection, care management, environmental, and potential criminal.

National Quality Forum

The National Quality Forum (NQF) is a national, consensus-driven private-public partnership aimed at developing common approaches to identification of events that are serious in nature and have been determined to be largely preventable. (National Quality Forum, 2002)[1] Sometimes referred to as "never events," the NQF list increasingly has become the basis for states' mandatory reporting system. (Rosenthal, 2007)[2] The list of NQF serious events is intended to capture events that are clearly identifiable and measurable, largely preventable, and of interest to the public and other stakeholders. Comparability of definitions enhances clarity about what must be reported and provides benchmarks for comparing experiences across states.

Reporting Requirements

Facilities must notify the Division within one business day of discovering an event. Through a confidential telephone exchange of information, the Sentinel Event Team determines whether the incident conforms to the statutory definition of a sentinel event. Upon confirmation that the event must be reported, the facility is required to submit a brief description of the incident via a restricted fax to the Division. A facility that knowingly violates any provision of the requirements is subject to a civil penalty.

Within 45 days of discovering a reportable event, the facility is required to share a written report with the State and the facility's quality improvement committee describing key elements of the event, the circumstances surrounding its occurrence, the actions taken or proposed to prevent its recurrence, methods for communicating the event, and planned risk reduction actions.

The Sentinel Event Team may conduct an onsite review at each facility reporting a sentinel event to assess the incident and to ensure that all relevant factors are considered in the development of an action plan. The on-site review occurs shortly after the incident is first reported so that findings can be incorporated into the facility's action plan. The facility's Chief Executive Officer (CEO) is briefed during this time by the Sentinel Event Team to assure his/her active engagement in understanding factors leading to the event and plans for mitigating its recurrence. The entire medical record of the patient is reviewed during the site visit to identify contributing factors that may have gone unnoticed and have affected the outcome before, during, and after an event. This process provides an independent assessment that augments the facility's own internal review of the incident.

---

[1] National Quality Forum. (2002). Serious reportable events in healthcare: A consensus report. Washington, DC: The National Quality Forum.

[2] Rosenthal, J. & Takach, M. (December 2007). 2007 guide to state adverse event reporting systems. (State Health Policy Survey Report, Vol. 1, No. 1). Portland, ME: National Academy for State Health Policy. http://www.nashp.org/Files/shpsurveyreport_adverse2007.pdf

Throughout their review of a sentinel event, the Sentinel Event Team studies relevant standards of care and evidence-based research to help inform their review of the facility's response to an event. Depending on the nature of the event, content experts may also be consulted to expand understanding of the possible system failures or other factors that may have contributed to a sentinel event.

Upon receipt of the facility's full written report, the Sentinel Event Team confirms that direct causal factors have been examined by the facility and that corrective actions are appropriate, comprehensive, and implemented. If the report is accepted, a letter attesting to that fact is sent to the facility's CEO. Should more information be required, a letter requesting specific details is sent to the Risk Manager with a copy to the CEO. When this report is complete, a final approval letter is sent to the facility. Should it be necessary, the Sentinel Event Team may visit the facility to follow-up on the implementation of the action plan. A flow chart diagramming the sentinel event case review process can be found in Appendix A.

Database Implementation

In 2012, the Sentinel Event Program implemented the revised Sentinel Event Database to gather and track data. Information collected on sentinel events and their reviews are entered into this confidential database which provides an updated management system for all reports coming into the program. This database generates multi-level reporting, allowing for more efficient trend tracking, and is a step forward in electronic record keeping.

Confidentiality Provisions

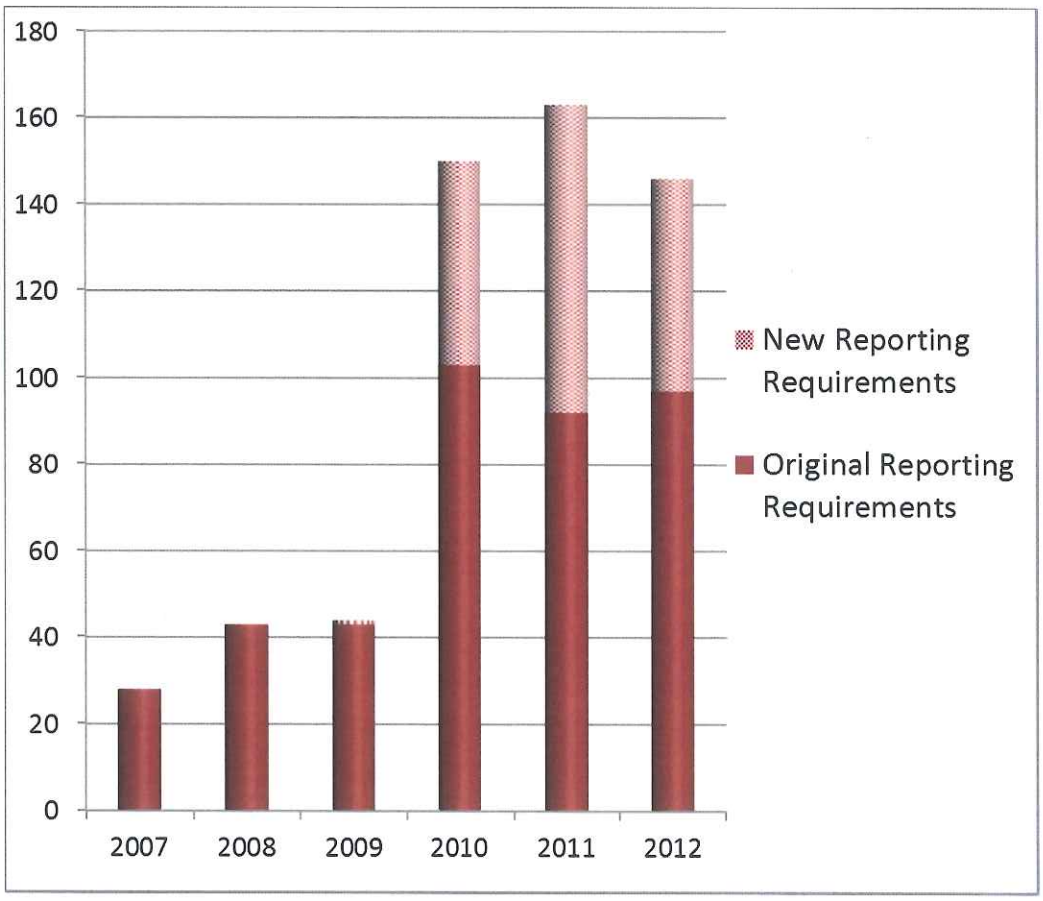
By law, all sentinel event information submitted to the Division is considered privileged and confidential. No information about facilities or providers is discoverable or made public. A firewall is maintained between the sentinel event program and the survey unit that regulates facility licensing within the State. The Sentinel Event Team is responsible for reviewing the initial reported event, conducting on-site reviews, ensuring that all contributing factors to an event are identified, and that action plans are appropriate and implemented. The Sentinel Event Team is permitted to share information with the licensing team if it determines that a sentinel event represents immediate jeopardy to the public. The information shared is limited to the Conditions of Participation for the Medicare and Medicaid certification program that was impacted by the event. This ensures that the immediate jeopardy can be investigated and separate and public corrections be made to avoid harm to the public.

Sentinel Events Historically Reported

A total of 651 sentinel events have been reported to the Division since the initiation of the program in 2004. Following focused efforts to ensure that all facilities had a heightened awareness and full understanding of the reporting requirements, reporting began to increase in 2008.

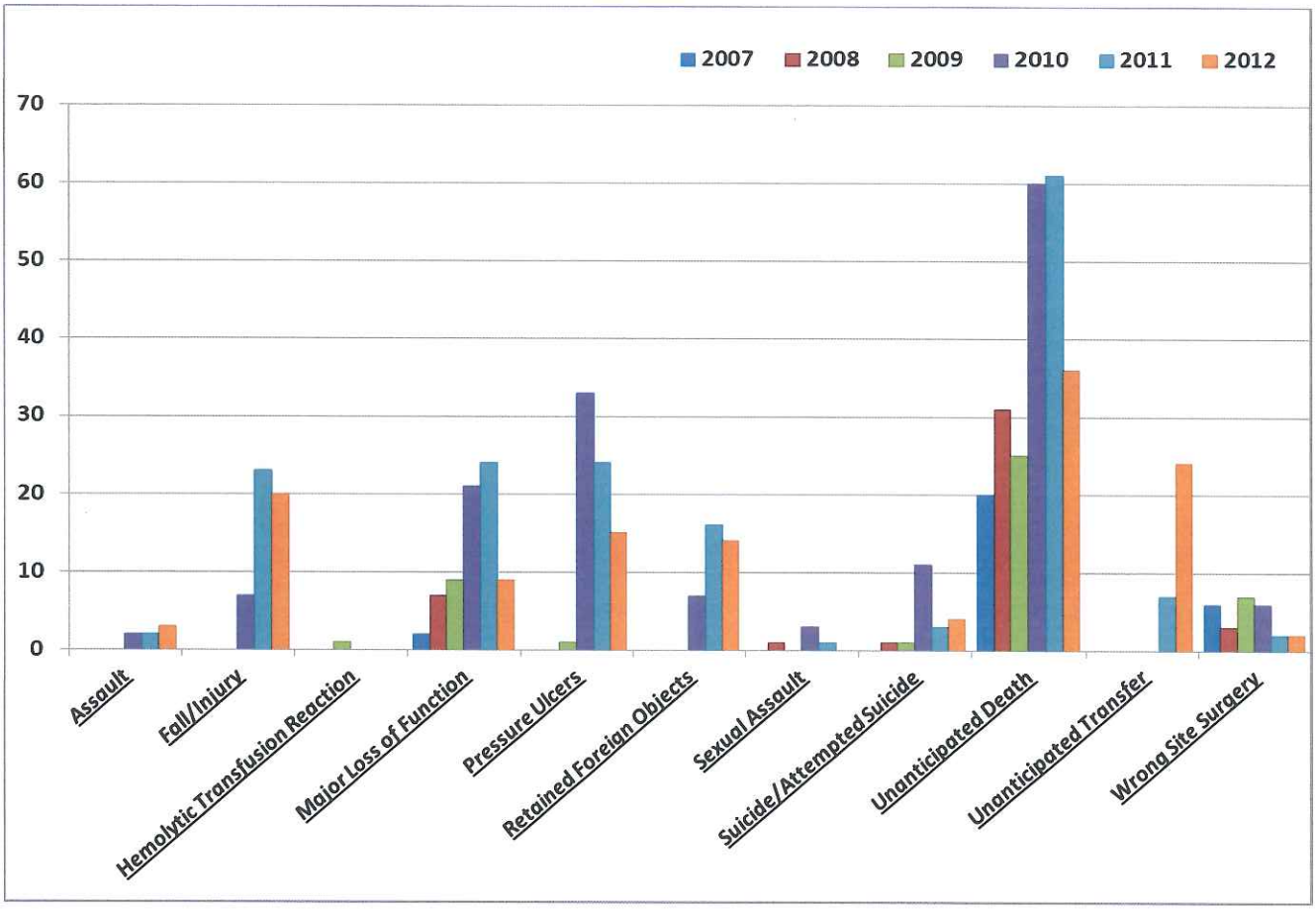
In 2010, a dramatic increase in sentinel event reporting occurred and continued through 2012. This spike in reports reflects a greater appreciation of the requirements and changes in the statutory requirements. There is also a growing awareness of the benefit of increased transparency with an emphasis on establishing a 'blame free' culture and a focus on systems improvements and reduction of the likelihood of a recurrence.

Table 1. Sentinel Events Reported, by Year, 2007-2012



Sentinel events reported during the period from 2004-2006 averaged approximately 25 sentinel events annually.

Table 2. Sentinel Events Reported, by Category, 2007-2012

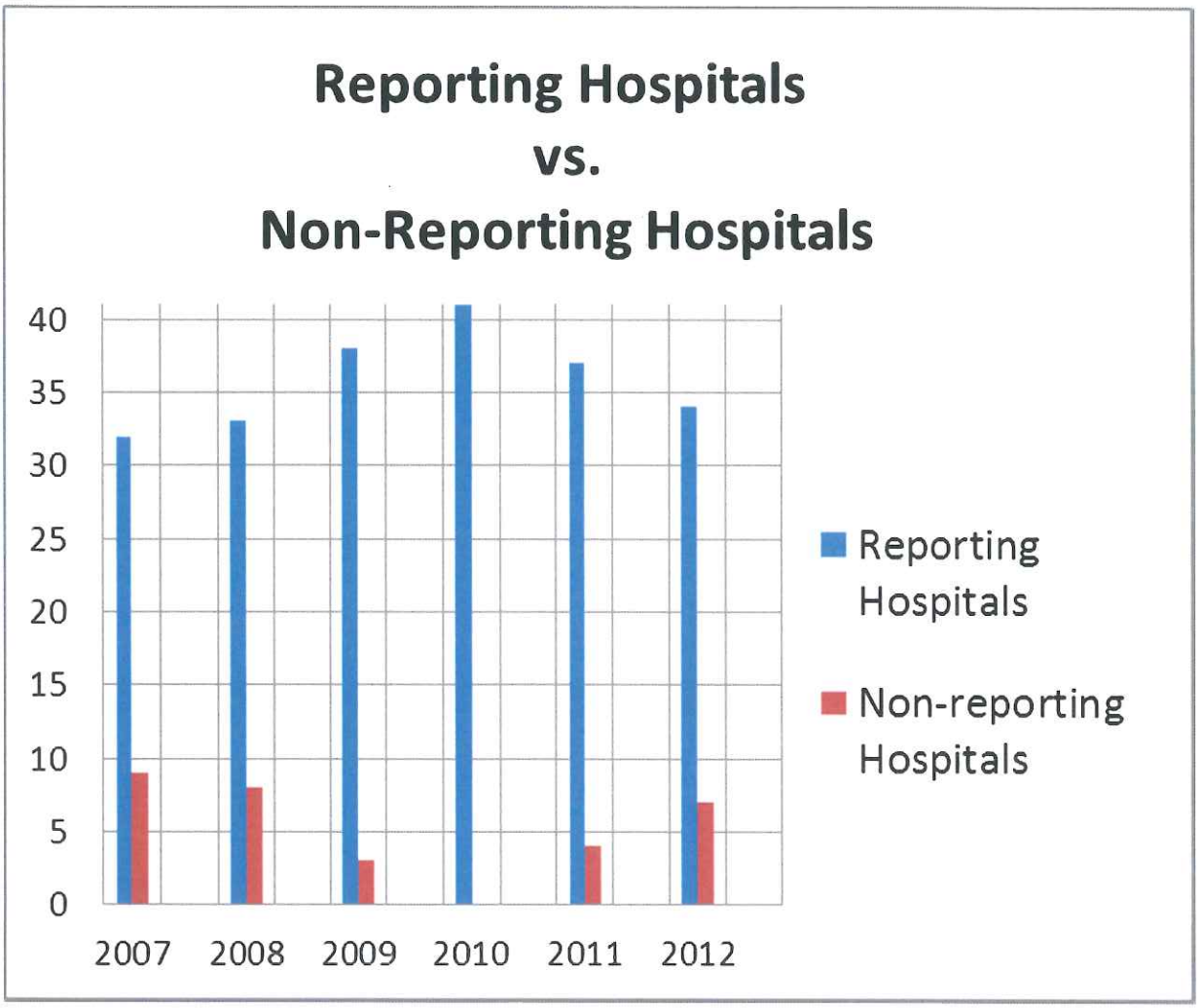


	2007	2008	2009	2010	2011	2012
Assault	0	0	0	2	2	3
Fall/Injury*	0	0	0	7	23	26
Hemolytic Transfusion Reaction	0	0	1	0	0	0
Major Loss of Function	2	7	9	21	24	9
Pressure Ulcers*	0	0	1	33	24	15
Retained Foreign Objects*	0	0	0	7	16	14
Sexual Assault	0	1	0	3	1	0
Suicide/Attempted Suicide	0	1	1	11	3	4
Unanticipated Death	20	31	25	60	61	36
Unanticipated Transfer	0	0	0	0	7	24
Wrong Site Surgery	6	3	7	6	2	2

*Indicates new reporting requirements added to category 2010

During the 9 years of reporting sentinel events, hospitals have steadily increased participation in the program. By 2006, only 61% of all Maine hospitals had reported a sentinel event. By the end of 2010, 100% of the 41 acute care hospitals in Maine had reported at least one sentinel event. In 2012, there was a slight decline in the number of reporting facilities.

Table 3. Sentinel Events Reporting vs. Non-reporting Hospitals, 2012



	2007		2008		2009		2010		2011		2012	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Reporting Hospitals	32	78%	33	80%	38	93%	41	100%	37	90%	34	83%
Non-reporting Hospitals	9	22%	8	20%	3	7%	0	0%	4	10%	7	17%
Total	41	100%	41	100%	41	100%	41	100%	41	100%	41	100%

Sentinel Events Reported in 2012

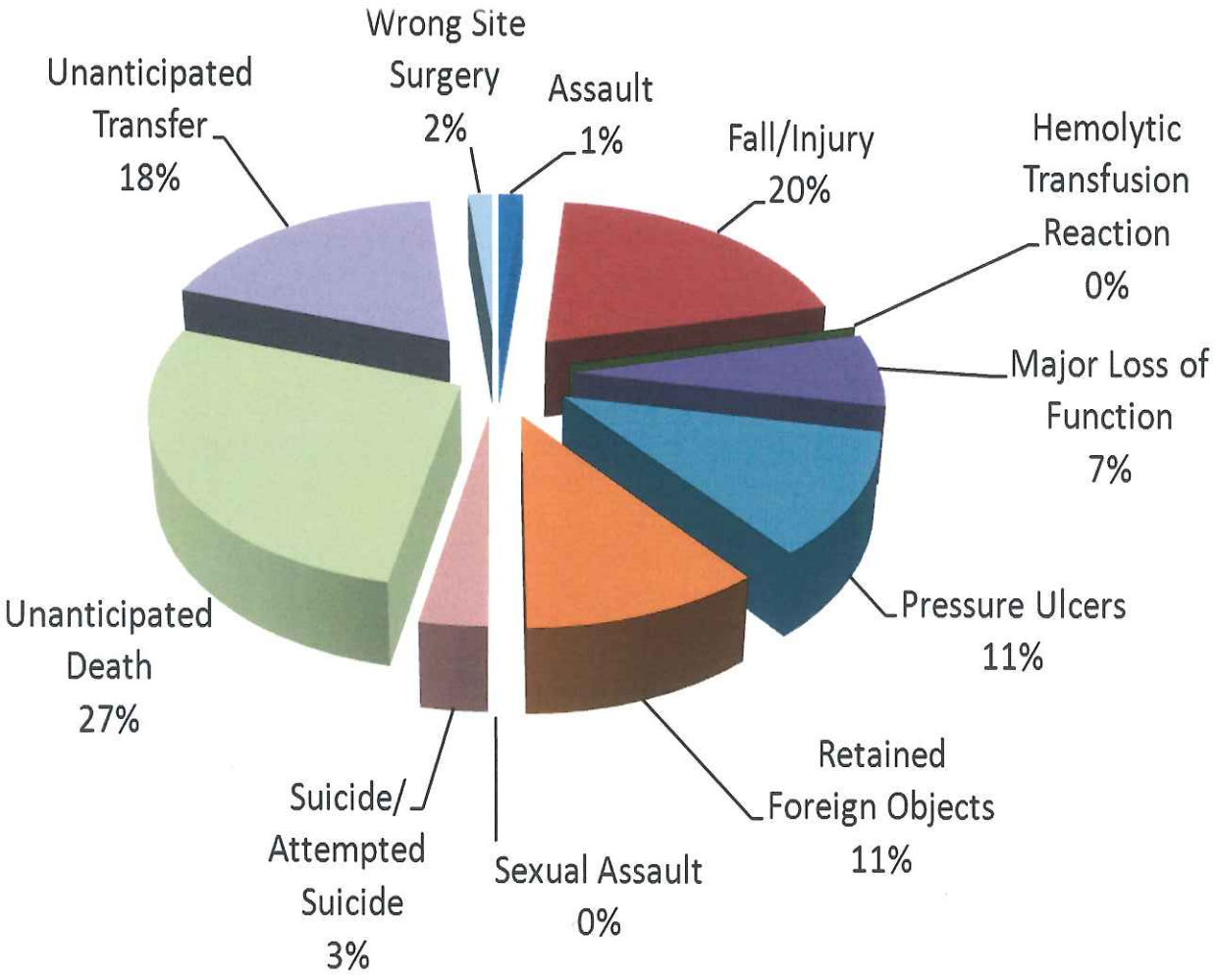
NUMBER OF SENTINEL EVENTS REPORTED IN 2012

There were 146 sentinel events reported in 2012. This is a slight decrease over the 163 reported events in 2011.

CATEGORY OF SENTINEL EVENTS

Table 4 indicates sentinel events by category in 2012. Unanticipated deaths were reported in the majority of cases at 36 (27%). Fall with Injury was the second leading event at 26 (20%) following by unanticipated transfer the third leading event at 24 (18%).

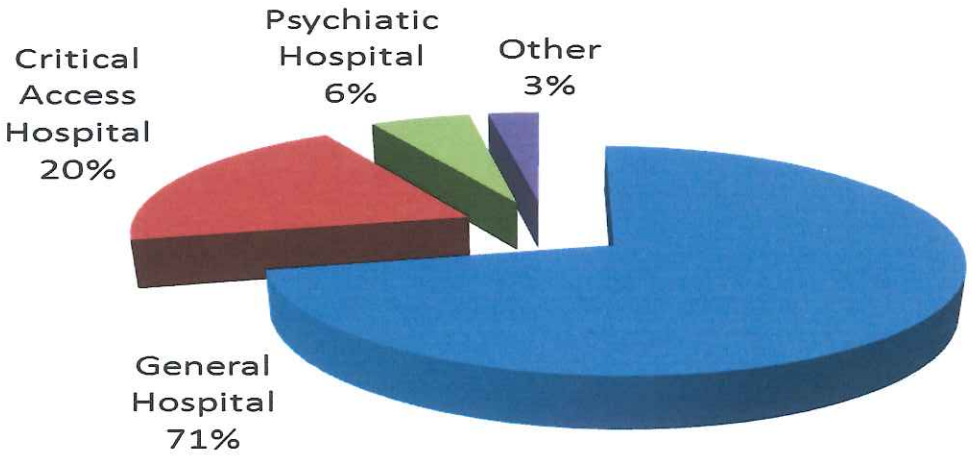
Table 4. Sentinel Events Reported, by Category of Event, 2012



TYPE OF FACILITIES REPORTING SENTINEL EVENTS IN 2012

In 2012, general hospitals represented 71% of the facilities that reported to the sentinel event program. Critical Access Hospitals accounted for 20% and Psychiatric hospitals represented 6%, while ESRD (dialysis) facilities, Ambulatory Surgical Centers and ICF/ID facilities reported 3% of cases.

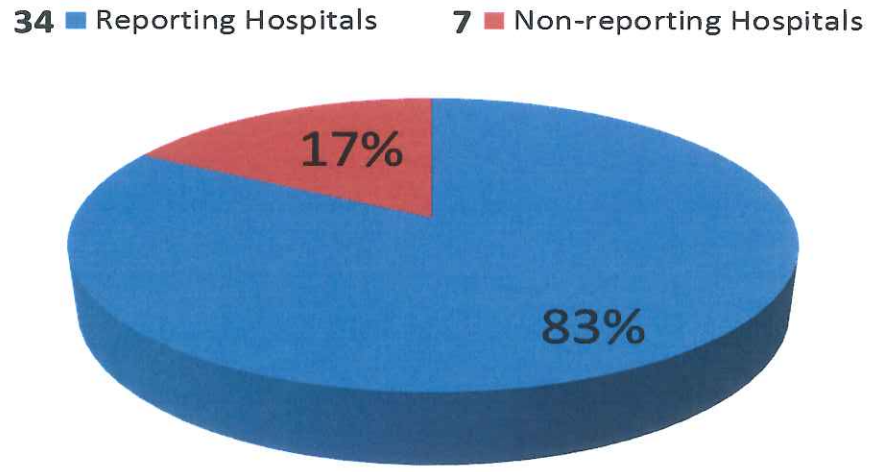
Table 5. Sentinel Events Reported, by Facility Type, 2012



REPORTING VERSUS NON-REPORTING HOSPITALS, 2012

As illustrated below, 83% of the 41 hospitals had reported a sentinel event to the Division for review in 2012.

Table 6. Reporting Vs. Non-Reporting Hospitals, 2012



Conclusion

Maine's sentinel event reporting system focuses on identifying and deterring serious, preventable incidents. Mandatory reporting is the primary tool for the State to hold facilities accountable for disclosing that an event has occurred and that appropriate action has been taken to remedy the situation. The system was designed to learn from mistakes, not punish individual practitioners or providers.

To be effective, the system requires the participation of all hospitals and other reporting entities. Only by understanding the full scope of the problem can strategies be developed to improve patient safety throughout the State.

Program Goals for 2013

During 2013, the sentinel events program will work closely with hospitals and others to strengthen the reliability of reporting. To achieve this, the sentinel events program will do the following:

- Implement the updated 2011 National Quality Forum List of Serious Reportable Events
- Continue to utilize data from Maine Health Data Processing Center's all-payer claims database (APCD) to augment a review of events being reported
- Continue to perform on-site visits with hospitals and other facilities. This may include a review of documents to determine compliance with the Rules Governing the Reporting of Sentinel Events
- Continue to assess the adequacy of a facility's internal systems for detecting and reporting events
- Continue to analyze complaint data to determine if a situation reported as a complaint is a reportable sentinel event

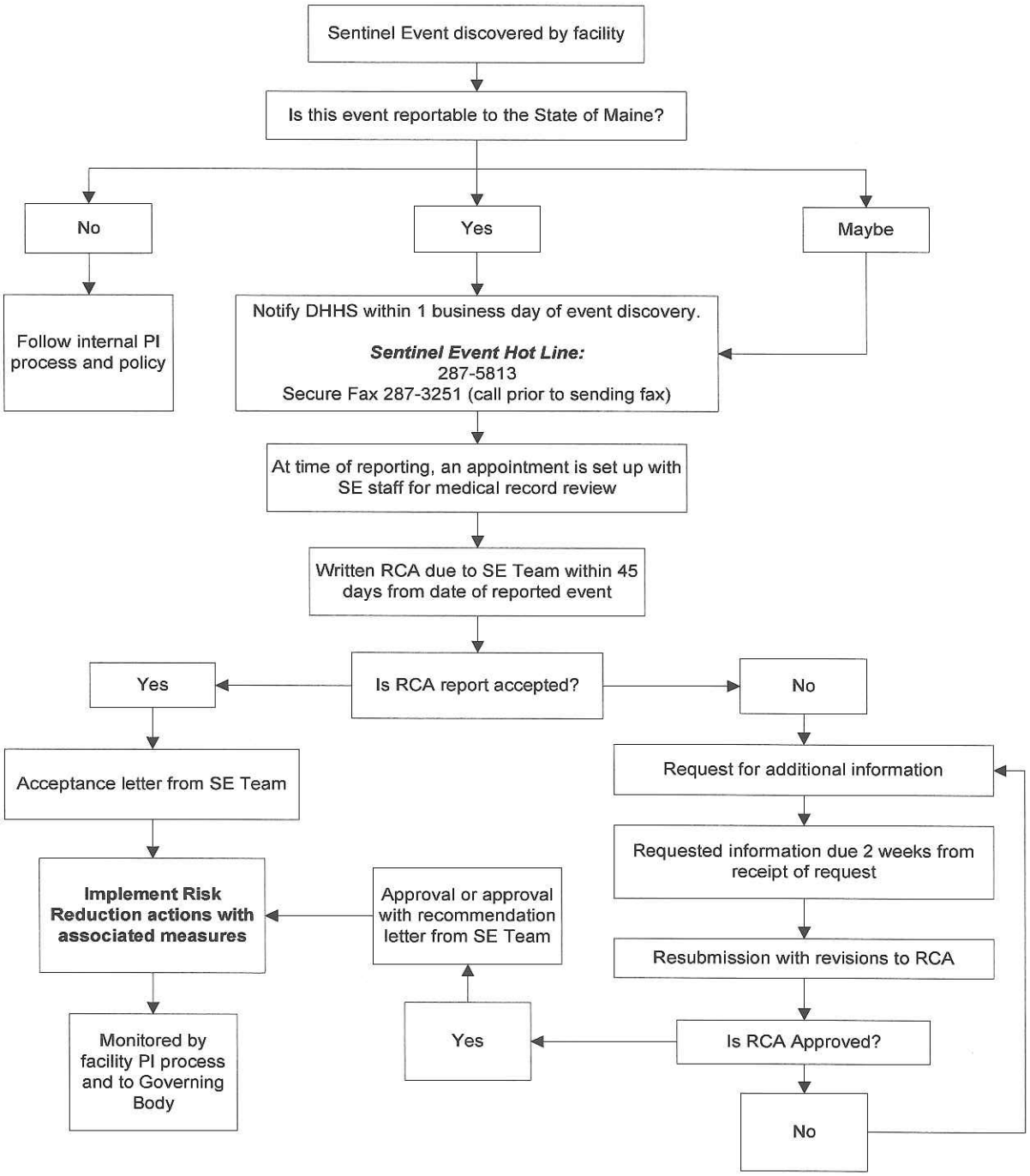
To achieve its goals, the Sentinel Events Program will continue to maintain ongoing communications with Maine hospitals, other licensed facilities and stakeholders regarding reporting requirements and lessons that can be learned to prevent events from being repeated. The Sentinel Events Program is committed to maintaining a non-punitive environment that allows for a collaborative approach for identifying serious adverse events and working toward joint solutions for reducing their occurrence.

The predominant goal of the Sentinel Events Program is to have a reporting system that helps facilitate the improvement of quality health care for all Maine's citizens.

Appendix A

Sentinel Event Process Flow

State of Maine Department of Health and Human Services
Division of Licensing and Regulatory Services



Non-Discrimination Notice

The Department of Health and Human Services (DHHS) does not discriminate on the basis of disability, race, color, creed, gender, sexual orientation, age, or national origin, in admission to, access to, or operations of its programs, services, or activities, or its hiring or employment practices. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and in accordance with the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, the Maine Human Rights Act and Executive Order Regarding State of Maine Contracts for Services. Questions, concerns, complaints or requests for additional information regarding the ADA may be forwarded to the DHHS ADA Compliance/EEO Coordinators, #11 State House Station, Augusta, Maine 04333, 207-287-4289 (V), or 287-3488 (V)1-888-577-6690 (TTY). Individuals who need auxiliary aids for effective communication in program and services of DHHS are invited to make their needs and preferences known to one of the ADA Compliance/EEO Coordinators. This notice is available in alternate formats, upon request.