



## What to Do if You Have a Concern About Quality in a Connecticut Hospital

### Advice and resources for dealing with quality concerns

Thousands of people become patients in one of Connecticut's 42 hospitals every year. Some are treated in the emergency room. Others come to the hospital to have a baby, have surgery, or get treatment when they're sick. These hospital patients expect to receive quality care, and for the most part they do.

There are times, however, when people have concerns about the quality of hospital care received. If this happens to you or a loved one, this tip sheet can help. It gives you:

- Practical advice about what to do and who to talk with, including phone numbers and addresses
- Links to resources that can help

This tip sheet explains steps you can take within the hospital to deal with your concerns about quality of care. It tells you how to contact the places that regulate or oversee hospitals.

### Is it worth it to pursue a concern about quality?

For many of us, it's not easy to act on a concern about the quality of care we or our loved ones receive. The process can be stressful, frustrating and take a long time. In the end, it's possible that others may not agree with the way we see the situation.

Is it worth the time and energy to take action on concerns about the quality of hospital care? Only you or your loved one can decide. In making the decision, think about the continued harm that might take place if you do nothing—and think about how the actions you take might lead to better care for future patients.

### What is quality of care?

Quality health care is doing the right thing, at the right time, in the right way, for the right person—and having the best possible results.

### In a Connecticut hospital, what are your rights when it comes to quality of care?

Under the law, you have rights in a Connecticut hospital. Some of these rights related to quality include:

- The right to receive care in a safe setting
- The right to make informed decisions regarding your care
- The right to file a grievance or complaint

For more information about patient rights and responsibilities, the American Hospital Association has published a resource called *The Patient Care Partnership: Understanding Expectations, Rights and Responsibilities*. It is available in several languages.

<http://www.aha.org/advocacy-issues/communicatingpts/pt-care-partnership.shtml>

## **What are examples of quality concerns you might experience?**

Health care quality concerns could arise for a variety of reasons in a hospital. Some might result from a specific action a hospital staff member takes (or doesn't take) as they treat patients. Examples include staff washing their hands to prevent an infection or giving you a drug that you shouldn't get.

Other quality concerns could result from how well the staff work together to safely care for you. For example, making sure that the right medical chart goes with the right patient or that information about a patient gets to the right department.

Because hospitals are treating sick people, they've set up systems of checks and balances to lessen the chance that they'll make a mistake. Sometimes those systems aren't followed, or other actions lead to mistakes. Some mistakes may not affect your health at all; some may cause inconvenience or pain; others may cause serious harm.

What should concern patients the most—and what concerns organizations that oversee hospitals—is when there's a pattern of problems in a hospital. If something happens again and again, it could be a sign of a larger problem with quality of care that could hurt hospital patients.

## **What steps should you take if you have a concern about quality?**

### **Step 1 —Talk with hospital staff who can fix the problem.**

For many concerns, it's usually best to try to fix your concern with the people caring for you first. This would probably be your nurse or a hospital social worker. If you don't feel that they are helping you, there is often a hospital department devoted to addressing patient concerns. These departments have names such as Patient Relations, Patient Advocate, Guest Relations, Ombudsman or Customer Service. The hospital operator can connect you with the department, or you can look for contact information on the papers you received when you came into the hospital.

Once you contact them, a Patient Relations staff person should quickly talk with you about your concern. They will then talk with others who can help address it. This might include the head nurse, physicians or other staff caring for you.

### **What if there's serious change in a patient's condition?**

Hospitals have regular procedures to deal with patients who get sicker in the hospital. However, sometimes patients or families notice something about a patient's condition that the health-care team

doesn't see or address—for example, a small change in a loved one's mental state that could indicate a serious health change. Hospitals usually have a special team for this situation called a rapid response team or medical emergency team. This team can be called to examine a patient who's quickly becoming sicker.

Some hospitals also have a specific helpline (sometimes called "Condition H") that patients can call for emergency assistance. That number should be posted on the wall or on the room telephone. If you can't find these numbers or the hospital doesn't have a rapid response team or patient helpline, call the hospital operator and tell them you have an emergency. Ask for the charge nurse, the nurse supervisor or the administrator on call.

### **Step 2 — File a grievance with the hospital.**

If your problem is still not resolved, under the law you can file a complaint or grievance with the hospital. The hospital must give you contact information for filing a grievance. It also must review, investigate and resolve the grievance in a reasonable amount of time—generally 7 days.

The hospital should respond in writing, in language you can understand. The letter should tell you the steps taken on your behalf to investigate the grievance, the results and a contact person. You or the hospital may also want to meet in person to talk about what happened.

A grievance is considered closed when you are satisfied with the actions taken by the hospital. There may be times, however, when the hospital feels it has taken reasonable steps to address your concern, but you are still unsatisfied. That's when you may consider filing your concern with a hospital oversight organization—the next step below.

### **Step 3 — File a complaint with organizations outside the hospital.**

If your concern about quality is still not resolved or you want to prevent a similar event from happening to another patient, there are several places outside a hospital where you can file a complaint. These include the Connecticut Department of Public Health and the Joint Commission.

#### **The Connecticut Department of Public Health**

The Connecticut Department of Public Health (DPH) licenses and certifies Connecticut hospitals. This means that the hospitals must meet certain rules and regulations in order to care for patients and receive payment. One function of DPH is to investigate complaints about any facility they license.

DPH received over 350 complaints about hospitals in 2013. They found that 80, or 23%, of the complaints were "substantiated"—that means found to have problems that needed to be fixed.

**Submitting the complaint:** You can file a complaint with the DPH Facility Licensing and Investigations Section by sending written documents to:

Facility Licensing and Investigations Section  
Connecticut Department of Public Health  
410 Capitol Ave., MS# 12 HSR  
P.O. Box 340308  
Hartford, CT 06134-0308

Or fax to: 860-509-7538

Or E-mail to: [oplcdph@ct.gov](mailto:oplcdph@ct.gov)

Phone: 860-509-7400

Be as specific as possible about your concern when you are writing your complaint and make sure you make a copy of what you send. For example, talk about what happened, when it happened, where it happened and include dates and specific names. Generally, the issue that you are concerned about has to have happened within the last year. Once DPH receives your complaint, they will send you a letter saying that they have received it if you gave them your contact information.

**The investigation:** What happens next depends on how urgent your concerns are. Trained staff review the complaint and decide how it should be handled (a process called “triage”). Some complaints involve serious harm or the possibility of serious harm, such as death or a very bad injury. If this happens it is called “immediate jeopardy.” In this case, DPH staff should be at the hospital investigating within 2 days of receiving the complaint.

Concerns that are “high priority” may trigger investigations within 10 days. Medium and lower-level complaints may take anywhere from 10-90 days. Some are reviewed the next time the DPH staff visit the hospital for a regular inspection. Connecticut hospitals are reviewed every 2-4 years.

Complaint investigations that involve a visit to the hospital are unannounced—the hospital leaders and staff are not told in advance that a DPH investigator is coming. Depending on the type of complaint, the investigator might talk to you or other patients and family members. They might look at your medical records, talk to and watch staff members and inspect the hospital.

Once the investigation is done, you should get a letter from DPH telling you what they found. The letter will include contact information if you have any questions or concerns.

**What are the outcomes?** If the investigation finds that there was a quality violation, DPH issues a report outlining the problems (called a Statement of Deficiencies or Violations). The hospital will then respond with a plan saying how they will correct those problems. DPH may schedule a follow-up conference call or meeting with the hospital to discuss the corrections. If needed, DPH may go back to the hospital to make sure the corrections are made.

**How long will it take?** It generally takes at least 3 months to complete an investigation of a hospital complaint. That time-frame can vary, though, depending on the case.

**Can you remain anonymous when you file a complaint?** You have the right to remain anonymous when you file a complaint—that is, to not give your name or contact information. Note that if your complaint is filed this way, you won't automatically receive information about what happened.

Otherwise, your complaint will be treated confidentially. The Connecticut Department of Public Health won't tell the hospital that you are the one who filed the complaint.

### **The Joint Commission**

The Joint Commission is a nonprofit organization that evaluates and accredits (that is, judges quality against a set of rules or standards) health care organizations across the country. The Joint Commission does its work by periodically going on site to survey hospitals in action. It has accredited many

Connecticut hospitals. Those hospitals have to meet many standards and patient safety goals related to patient care, including quality of care.

You can file a complaint with the Joint Commission in several ways:

On-line: <http://jcwebnoc.jcaho.org/QMSInternet/IncidentEntry.aspx>

E-mail: [complaint@jointcommission.org](mailto:complaint@jointcommission.org)

By Fax: Office of Quality Monitoring, (630) 792-5636

By Mail:

Office of Quality and Patient Safety  
The Joint Commission  
One Renaissance Blvd.  
Oakbrook Terrace, IL 60181

**Writing the complaint:** Be as specific as possible in no more than three pages and provide the name, address, city and state of the accredited hospital. For more information, call the Joint Commission's toll-free number: 800-994-6610, 8:30 AM to 5:00 PM CST. The Joint Commission's online complaint form (web address noted above) gives additional information about what is needed for a complaint submission.

**How the Joint Commission responds to complaints:** The Joint Commission looks at each complaint to make sure that it's something they can act on. If so, it is then put into one of three categories:

- High Priority Quality Events – Such as an unexpected event that results in a patient death or serious injury. This type of complaint is processed within 2 business days. It may lead to an unannounced visit to the hospital or some other action where the hospital must explain what happened.
- Medium Priority Incidents – Such as delays in treatment or a serious medication error. These are processed within 10 business days and also may require the hospital to explain what happened.
- Low Priority Incidents – All other complaints that don't fit into the above two categories. The Joint Commission adds them to the hospital's record, but takes no further action.

After the Joint Commission receives your complaint, they send you a letter acknowledging they received it. That letter includes a tracking number you can refer to if needed.

After the investigation is done, you should receive another letter telling you whether and which Joint Commission hospital standards were investigated. You also receive limited information about the outcome of the investigation. If your complaint triggered an unannounced survey of the hospital, the findings from that survey can be shared with you. In every case, information from the complaint becomes part of the Joint Commission's record about the hospital. It can help staff look for patterns of problems the next time the hospital is reviewed.

For additional information about the Joint Commission complaint process:

[http://www.jointcommission.org/report\\_a\\_complaint.aspx](http://www.jointcommission.org/report_a_complaint.aspx)

## **What if the hospital retaliates against you or a loved one for filing a complaint?**

Being concerned about staff punishing you or a loved one is understandable given your dependence on them for care. If you feel you are being retaliated against, you should contact the Connecticut Department of Public Health (DPH) with your concern.

DPH Phone: 860-509-7400

## **What are patient surveys about hospital care?**

Some patients will receive a survey asking a series of questions about their recent hospital stay. Use this as an opportunity to give feedback about the care you received. Hospitals pay close attention to these surveys because the results are published for the public to see. The results also affect how much the hospital will be paid by the federal government.

## **Where else can you go with a concern about quality?**

### **Government Agencies**

**Medicare:** If Medicare (federal health insurance program for people over age 65 or people under 65 who are disabled) pays for your or your loved one's care, you have an additional place to go with a quality of care concern. Medicare pays a Quality Improvement Organization (QIO) to take complaints from Medicare patients. In Connecticut, that organization is called Livanta.

You can call Livanta at the following number: 866-815-5440. Explain to the person who answers the phone what your concerns are. Depending on the type of problem you are having, they may be able to help right away. For example, with your permission, they may be able to call the hospital to see if they can help solve your problem. In other cases, they may ask you to send your complaint in writing using a complaint form.

After you file a complaint with Livanta and allow release of your medical records, a doctor reviews your records. Then you get a letter indicating whether the hospital did or didn't provide the expected level and type of care in your case. Livanta generally focuses on improving the performance of the hospital, not on punishing it.

For more information about the Livanta complaint system and to get an online complaint form:

<http://bfccqioarea1.com/>

**Concerns about being discharged too early from the hospital:** If you're a Medicare patient and you feel a hospital is asking you to go home before you or your family think you're ready, you can ask for an appeal from Livanta. They will quickly review your case and decide whether Medicare should continue to pay for your hospital stay or not.

Hospital Appeals Phone Number: 866-815-5440

**Office of the Attorney General:** You can also call the Healthcare Fraud and Abuse section of the Connecticut Attorney General's Office if you have a concern about certain activities in a hospital. Examples include providing unnecessary services, billing for medical services that you didn't get, billing for more expensive services or billing more than once for the same medical service.

Connecticut Office of the Attorney General Fraud Tips Line: 1-860-808-5354

For more information: <http://www.ct.gov/ag/cwp/view.asp?a=2205&Q=518420>

### **Other Health Organizations**

**Your health insurance plan or HMO:** Hospitals usually work with a health insurance plan or HMO. Call your health plan's customer service number, explain the problem and ask whether you can file a complaint about the care provided in a hospital affiliated with the health plan. Or look in the section of the HMO's website that is devoted to complaints, appeals or grievances for information or forms to file.

### **Consumer Organizations**

**Connecticut Center for Patient Safety (CTCPS)** represents the health care consumer voice in Connecticut. It provides a variety of information and resources about patient safety and quality. In response to inquiries, CTCPS refers patients and families to available resources and assists them in addressing their needs and concerns.

<http://www.ctcps.org/>

**The Safe Patient Project** is a project of Consumers Union (the publisher of *Consumer Reports* magazine) that seeks to end medical harm in the health system. The Project is collecting stories from patients about their experiences and concerns with care in hospitals and physicians' offices across the nation, including Connecticut. The Project can't help with your specific complaint. It can use the collective power of stories from patients and families to help pass laws and press for other changes to make health care safer.

<http://safepatientproject.org/>

In a joint effort with the **Empowered Patient Coalition**, the Safe Patient Project is conducting a survey about medical events from the perspective of the patient. For more information about the survey:

<http://empoweredpatientcoalition.org/report-a-medical-event>

**ProPublica** is a nonprofit investigative journalism organization. They have an online patient harm questionnaire that asks for details about your concern. They write articles about people's experience of patient harm to bring attention to these issues. The organization won't publish any information that would identify you without your permission. ProPublica also sponsors a Facebook group that can connect you with other patients who have been harmed.

Here is a link to the patient harm questionnaire:

<http://www.propublica.org/getinvolved/item/have-you-been-harmed-in-a-medical-facility-share-your-story>

On Facebook, search for: ProPublica Patient Harm Community

## **Where can you find information about quality in Connecticut hospitals?**

There are several online resources you can check for information about the quality of care provided by Connecticut hospitals, including:

### **State Resources**

#### **Adverse Event Reporting**

A Connecticut Department of Public Health report that includes hospital-specific information on adverse events such as surgery on the wrong body part or on the wrong patient.

<http://www.ct.gov/dph/lib/dph/hisr/hcqsar/healthcare/pdf/AdverseEventReport2013.pdf>

#### **Healthcare Associated Infections Public Report**

A Connecticut Department of Public Health report that includes hospital-specific information on healthcare associated infections such as bloodstream infections, surgical site infections or urinary tract infections.

<http://www.ct.gov/dph/cwp/view.asp?a=3136&q=541602&dphNavPage=|46941|>

#### **Patient's Guide to Quality Hospital Care:**

An online resource from the Connecticut Hospital Association that provides information on preparing for a hospitalization, preventing medical errors and preparing for discharge.

<http://www.chime.org/advocacy/quality-and-patient-safety/patients-guide-to-quality-hospital-care/>

### **National Resources**

**Hospital Compare:** A federal website that provides information on heart care, pneumonia care, surgical care and children's asthma care. Also includes information on hospital death measures, whether patients are hospitalized again within 30 days of leaving the hospital and the results of patient surveys.

<http://www.hospitalcompare.hhs.gov/hospital-search.aspx>

**The Joint Commission:** This national accrediting organization provides a Quality Report about the hospitals it licenses, including information on whether they met certain patient safety goals, their performance on heart care, pneumonia care and pregnancy care and the results of patient surveys.

<http://www.qualitycheck.org>

Upon request, the Joint Commission also provides the number of complaints a hospital has received. Call 800-994-6610 to request that information.

## **Other useful information**

If you're concerned about the quality of care in a Connecticut managed care plan/HMO or nursing home, or the care provided by a doctor, pharmacist or registered nurse—here's where to go for more information:

### **IPI Doctor Tip Sheet:**

What to Do if You Have a Concern about the Quality of Care from a Connecticut Doctor

<http://www.informedpatientinstitute.org/PHYQuality-CT.php>

### **Managed Care/HMO:**

Connecticut Insurance Department

<http://www.ct.gov/cid/cwp/view.asp?q=390244>

For additional information about your rights in a Connecticut HMO, contact the Connecticut Office of the Healthcare Advocate:

<http://www.ct.gov/oha/site/default.asp>

### **IPI Nursing Home Tip Sheet:**

What to Do if You Have a Concern about Quality in a Connecticut Nursing Home

<http://www.informedpatientinstitute.org/NUHQuality-CT.php>

### **Pharmacists/Pharmacies:**

The Commission of Pharmacy

Department of Consumer Protection

<http://www.ct.gov/dcp/cwp/view.asp?a=1629&q=438372>

If you or someone in your family has experienced a serious drug reaction, you can report it to the Federal Food and Drug Administration (FDA). To find out more:

<http://www.fda.gov/Safety/MedWatch/HowToReport/ucm053074.htm>

### **Registered Nurses:**

Connecticut Board of Examiners for Nursing

<http://www.ct.gov/dph/cwp/view.asp?a=3143&q=388910>

Written by Carol Cronin, Executive Director of the Informed Patient Institute (IPI) for the Connecticut Patient Safety Center and the Connecticut Coalition on Aging. IPI is an independent nonprofit organization that provides credible online information about health care quality and patient safety for consumers, patients and families through a website: [www.informedpatientinstitute.org](http://www.informedpatientinstitute.org)

September 2014