



What to Do if You Have a Concern about Quality in a South Carolina Hospital

Advice and resources for dealing with quality concerns

Thousands of people become patients in one of South Carolina's 103 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 South Carolina hospital, what are your rights when it comes to quality of care?

Under the law, you have rights in a South Carolina 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

In addition, there is a law in South Carolina passed in honor of Lewis Blackman, a 15-year-old Columbia boy who died of a preventable medical error in a hospital. As a result of the law:

- All hospital staff must wear badges that identify their names, departments and what type of employee they are (a nurse, a doctor, or a nurse aide, etc.). This will help you understand who is caring for you and what training they have had.
- You must receive information describing the general role of doctors-in-training (called residents) and their participation in your treatment, including surgery and other procedures. Residents have graduated from medical school (so they are MDs), but they are still in training. They're generally supervised by fully licensed doctors who are teaching them. However, you might have questions about this. You can ask how residents will be involved in your care and express any concerns.
- If you want to talk with the doctor taking care of you in the hospital (the attending physician), the hospital staff must call them for you, or give you their phone number so you can call.

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.

Under the Lewis Blackman Hospital Patient Safety Act mentioned above, hospitals must provide a way for a patient to call for assistance if they feel they have an urgent medical concern that is not being addressed. This is usually a telephone or beeper number. In most hospitals, you can also ask the nurse to call the rapid response team, a group of critical care experts who can respond quickly to emergencies.

Step 2 — File a grievance with the hospital.

After dealing with the Patient Relations department, 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 South Carolina Department of Health and Environmental Control, the Joint Commission or another accrediting organization.

The South Carolina Department of Health and Environmental Control

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

Submitting the complaint: You can file a complaint with the DHEC Bureau of Certification by phone, e-mail or fax:

800-922-6735 (voicemail available)

Fax: 803-545-4292

E-mail: rushrf@dhec.sc.gov

Mail to:

SCDHEC

Bureau of Certification/Health Regulation

2600 Bull St.
Columbia, SC 29201

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. Once DHEC receives your complaint, they will send you a letter saying that they have received it.

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”). If the complaint involves death or serious harm, it is called a "priority" complaint or "immediate jeopardy." In this case, DHEC staff should be at the hospital investigating within 2 days.

If the complaint deals with a quality concern in the hospital’s emergency room—for example, if you're turned away for treatment—DHEC should be at the hospital investigating within 5 days. All other complaint investigations are begun within 45 days depending on how urgent they are.

Some complaints involve a visit to the hospital. This visit is not announced—the hospital staff are not told in advance that an 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.

Other complaints may be part of a review in the next scheduled inspection of the hospital or may be referred to another organization that oversees hospitals. Less urgent complaints may be completed over the phone or by e-mail or fax.

Once the investigation is done, you should get a letter from DHEC 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 is a problem with a hospital, DHEC will issue a report outlining the issues they found. The hospital has 10 days to tell DHEC what it plans to do to fix the problems. This is called a plan of correction. Once the plan has been approved, the hospital is expected to follow it. If they don't follow the plan and the problems continue, the hospital may have to pay a penalty and may eventually face termination from the Medicare program.

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 be able to follow up or receive information about what happened.

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 South Carolina 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://jcwwebnoc.jcaho.org/QMSInternet/IncidentEntry.aspx>

E-mail: complaint@jointcommission.org

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

By Mail: Office of Quality Monitoring, The Joint Commission, One Renaissance Blvd., Oakbrook Terrace, IL 60181

Writing the complaint: Be as specific as possible in no more than two 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. 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

Other Hospital Accrediting Organizations

A few hospitals in South Carolina are accredited by an organization called DNV. To find out if your hospital is accredited by this organization, search this database:

<http://dnvaccreditation.com/pr/dnv/hospitals.aspx>

For more information about how to file a complaint against a DNV-accredited hospital:

<http://na1.ipressroom.com/pr/blackout/file-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 South Carolina Department of Health and Environmental Control (DHEC) with your concern.

DHEC Phone: 800-922-6735 (voicemail available)

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 the results of these surveys because the results are published for the public to see.

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 South Carolina, that organization is called KEPRO.

You can call KEPRO at the following number: 844-455-8708. 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 KEPRO 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. KEPRO generally focuses on improving the performance of the hospital, not on punishing it.

For more information about the KEPRO complaint system and to get an online complaint form: <https://www.keproqio.com/bene/qualityofcarecomp.aspx>

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 KEPRO. They will quickly review your case and decide whether Medicare should continue to pay for your hospital stay or not.

Hospital Appeals Phone Number: 844-455-8708

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

South Carolina Voices for Patient Safety is a nonprofit organization that promotes patient safety in South Carolina. It can also help when there are care problems between patients and doctors or hospitals. Their phone number is 843-910-7677; e-mail: SCVoicesforpatientsafety@yahoo.com; and website: <http://www.scvps.org/>

Mothers Against Medical Error is a South Carolina non-profit that works with patients and victims of medical harm to improve patient safety in South Carolina. They help inform and educate patients on navigating the healthcare system and can also help when patients suffer problems in their medical care.

Their phone number is 803-254-8804 ; email: mamemoms@gmail.com; and website: www.advocatedirectory.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 South Carolina. 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://www.advocatedirectory.org/>

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 South Carolina hospitals?

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

State Resources

Hospital Acquired Infections in South Carolina: In 2006, state lawmakers passed a law that requires hospitals to report certain infection rates to the South Carolina Department of Health and Environmental Control and to the public. For hospital-specific information about infection rates, look under "HIDA Hospital Reports" on the left hand side of the following website:

<http://www.scdhec.gov/health/disease/hai/>

MySCHospital.org: The South Carolina Hospital Association (SCHA) sponsors a website that includes a variety of information about hospitals such as mortality (death) rates for certain illnesses, patient experience of care and how well hospitals provide care to patients with heart attacks, heart failure, pneumonia and other conditions.

http://www.myschospital.org/reports_step1.aspx

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.medicare.gov/hospitalcompare/search.html>

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 South Carolina managed care plan or HMO or a nursing home, or the care provided by a doctor 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 South Carolina Doctor

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

Managed Care or HMO:

South Carolina Department of Insurance

<https://online.doi.sc.gov/Eng/Public/Consumer/Complaint.aspx>

IPI Nursing Home Tip Sheet:

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

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

Registered Nurses:

South Carolina Board of Nursing

<http://www.llr.state.sc.us/pol/nursing/index.asp?file=boncomplaintproc.htm>

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www.informedpatientinstitute.org

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