

# Update on Healthcare Provider Emergency Liability Protections and Workforce Planning

Steven D. Gravely, J.D., M.H.A.

Troutman Sanders LLP

Richmond, Virginia

804-697-1308 (p)

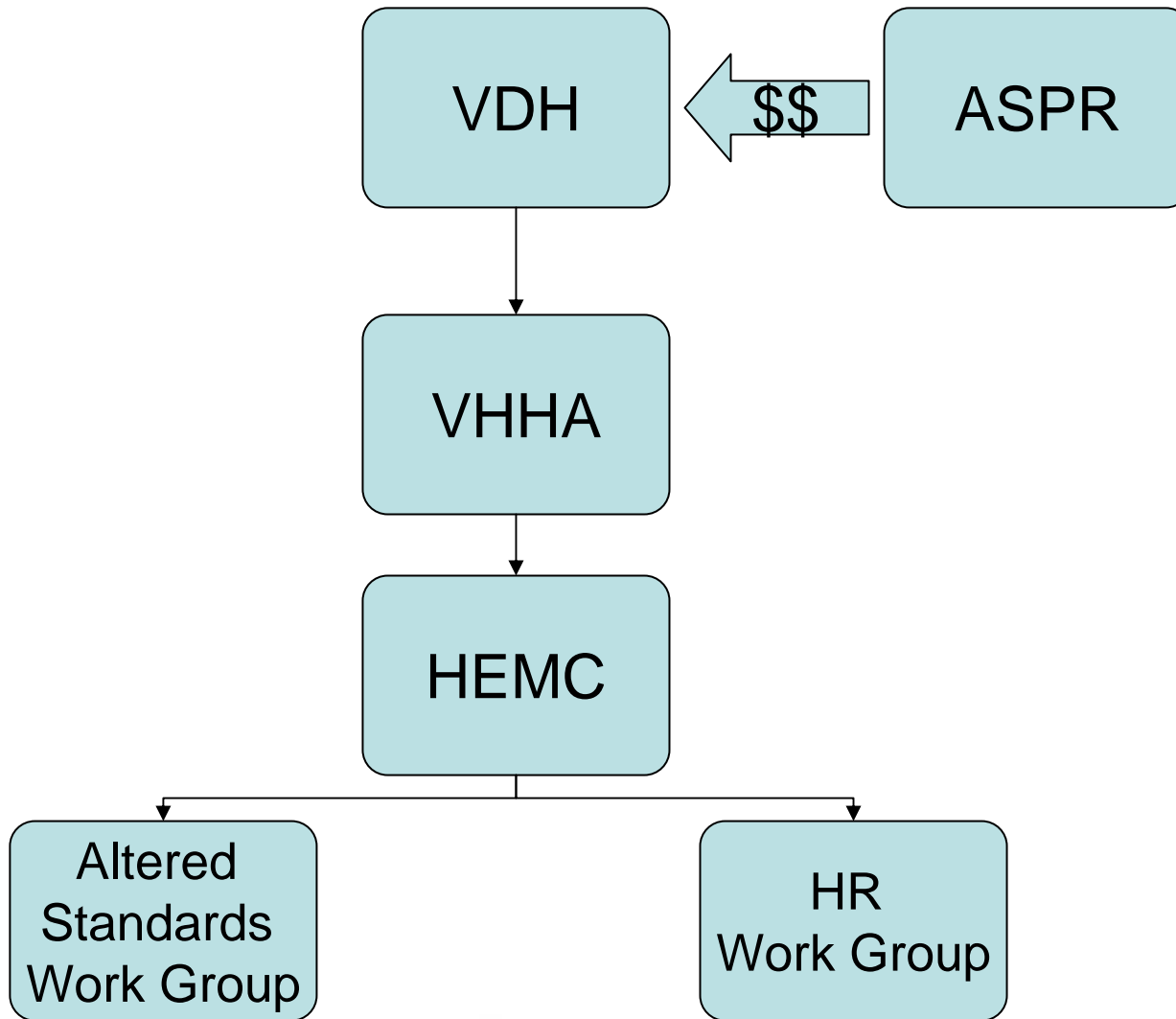
804-698-5158 (f)

[steve.gravely@troutmansanders.com](mailto:steve.gravely@troutmansanders.com)

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# Work Group Structure



# Healthcare Provider Emergency Liability Protections



# New Legislation

- Altered Standards of Care Work Group developed a package of four legislative initiatives to offer liability protection to providers during an emergency
- Led to the convening of a Joint Legislative Study Committee in 2007 pursuant to House Joint Resolution No. 701
  - Chaired by Del. Hamilton
  - Dr. Mark Dietz and Steve Gravely served on it
- Joint Study Committee studied the feasibility of offering liability protections to health care providers rendering aid during a state or local emergency
- Study committee recommendations led to introduction of HB403/SB657 in 2008 General Assembly
- Bill was signed into law March 3, 2008 and will go into effect on July 1, 2008



# HB403/SB657

- §8.01-225.02. Certain liability protection for health care providers during disasters.
  - A. In the absence of gross negligence or willful misconduct, any health care provider who responds to a disaster shall not be liable for any injury or wrongful death of any person arising from the delivery or withholding of health care when (i) a state or local emergency has been or is subsequently declared in response to such disaster, and (ii) the emergency and subsequent conditions caused a lack of resources, attributable to the disaster, rendering the health care provider unable to provide the level or manner of care that otherwise would have been required in the absence of the emergency and which resulted in the injury or wrongful death at issue.



# Human Resources Work Group Overview



# Human Resources Work Group

- Convened by VHHA in 2006
- Statewide group composed of HR professionals from public and private hospital systems
- 8 in-person and teleconference meetings, November 2006 – January 2008



# Work Group Members

- **Wylie Austin**  
Centra Health
- **Larry Boyles**  
Riverside Health System
- **John Bryant**  
Community Memorial Healthcenter
- **Paul Catucci**  
Bon Secours Richmond Health System
- **Lois Demerick**  
Sentara Healthcare
- **Steve Ennis**  
VHHA
- **Melissa P. Frederick**  
UVA Health System
- **Wanda Gilbert**  
Winchester Valley Health
- **Mary Ann Harkins**  
UVA Health System
- **Catherine Howard**  
Halifax Regional Health System



# Work Group Members

- **Bob Jensen**  
Mary Washington Hospital
- **Susan Krzastek**  
Augusta Medical Center
- **Troy Kurtz**  
Rockingham Memorial Hospital
- **Susan Cabell Mains**  
Martha Jefferson Hospital
- **Lauralyn Martin**  
Centra Health
- **Rinaldo J. Redstrom**  
CJW Medical Center -  
Chippenham
- **Becky Sawyer**  
Sentara Healthcare
- **Kim Stanchfield**  
Rockingham Memorial Hospital
- **Donna Steigleder**  
VCU Medical Center
- **Cindy Stutts**  
Bon Secours Richmond Health  
System



# HR Challenges

- 30-40% absenteeism
  - Employee is sick
  - Employee is caretaker to sick family member
  - Employee is terrified
- This will dramatically impact the delivery of care



# Harvard School of Public Health Pandemic Influenza Study



- Phone survey, September-October 2006
- Important Results:
  - 60% of households with children would have at least one employed adult who would need to stay home to care for the children if schools closed
  - 48% of respondents were worried they would lose pay if they were required to stay home 7-10 days
- Overall, employees are likely to stay home if requested to do so by a public health official



# HR Work Group Progress

- We provided ongoing education regarding federal guidance on pandemic flu
  - OSHA
  - CDC
  - HHS
- Developed list of HR planning issues for a pandemic for the following major categories
  - Absenteeism
  - Leave policies
  - Workforce Protection
  - Education/Communication
  - Screening
  - Absence Reporting
- Absenteeism was identified as the number one priority issue
- Because “absenteeism” is an overwhelming topic, we developed a framework for discussing issues related to absenteeism



# Framework for Absenteeism Discussion

- Causes of absenteeism
  - Illness
  - Family responsibilities
  - Fear
- Minimizing occurrence of absenteeism by getting healthy staff to report to work
  - Incentives
  - Protective Measures
  - Technology
  - Education and Communication
  - Psychological Support
- Managing consequences of absenteeism by working with the staff you have
  - Supplemental Staffing
  - Maximizing Available Staff



# Work Group Deliverables

- Pandemic Influenza Planning Tool
  - Overview of Pandemic Influenza
  - Overview of Work Group
  - Consensus Policy Statements with support materials
- This planning tool will be shared with hospitals across the state to provide guidance in the development of the human resources section of their pandemic flu response plans



# Consensus Policy Statements

- Antivirals
- Staff Clinic
- Staff Accommodations
- Dependent Care Services/Support
- Return to Work
- Hazardous Duty Pay
- Re-Assignment of Medically At-Risk Staff
- Protective Measures
- Personal Protective Equipment
- Psychological Support
- Education and Communication
- Technology
- Supplemental Staffing
- Maximizing Available Staff



For more information, please contact

**Steve Gravely**

[steve.gravely@troutmansanders.com](mailto:steve.gravely@troutmansanders.com)

**(804) 697-1308**

