

Spotting the problem patient

Avoid malpractice claims with careful screening process

Every good plastic surgeon wants the best outcome. A good result also means you don't have to worry about being sued. Your best work can't stop a patient from suing.

Those problem patients who are predestined to sue for, says **Phil Willman, JD**, an attorney with the Moser & Marsalek is one of Missouri's leading medical malpractice attorneys. Moser's Medical Malpractice group, with extensive experience

Trust your gut when interviewing patients, surgeon says

Screening patients is more an art form than a science, says **Robert A. Guida, MD, FACS**, director of the Division of Facial Plastic and Reconstructive Surgery and clinical associate professor at the New York Presbyterian Hospital-Cornell University Medical Center. In most cases, he trusts his gut instinct.

"Ninety-nine percent of patients are totally normal, but if a patient comes in with negative comments about another physician or seems just to have a vindictive personality, don't dismiss your instincts," he says.

If a patient makes comments that concern you, Guida says you should explore them rather than saying something to reassure or placate the patient. Avoid any tendency to immediately try to smooth things over by saying, "oh, I'm sure Dr. Smith did his best," or, "Sure, I can see why you're angry." Without getting into bashing a colleague, you can explore what the patient really means by the comment. Guida says that is the only way you will know if the patient's attitude represents a serious impediment to surgery.

"Give patients time to express themselves. Be willing to sit there quietly and let them talk," Guida says. "You might hear something very important if you listen instead of forging ahead."

Editor's Note: Contact **Robert A Guida, MD**, at (212) 871-0900 or visit www.DrGuida.com.

whose expectations don't match reality," he says.

Avoid angry patients

Leo McCafferty, MD, FACS, a Pittsburgh plastic surgeon and a member of the board of directors for the American Society of Aesthetic Plastic

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- **How to get the most out of your before & after pictures.** Every plastic surgeon uses before and after pictures, so much that it is easy to become complacent about how you use them. If you're not careful, experts say, you can risk legal troubles from patients unhappy with how you used their photos, and you might not be using them to their greatest effect Page 6
- **Does your website really bring in patients? Don't be so sure.** It is fairly easy to start a website these days and many plastic surgeons hire a web designer for the job, confident that the slick, professional looking site will bring in more business. But will it really get your phone ringing? Page 7
- **Stop and take a critical look at your marketing campaign.** You have the website, you do seminars, and you get your name in front of people using various methods. But is your marketing as effective as it could be? Maybe not. It's easy for plastic surgeons to become complacent and not realize how much more business they could do if their marketing strategies were better Page 8
- **Cosmetic surgery taxes pushed in several states, could affect your practice.** Special taxes on cosmetic surgery are becoming popular with state legislatures across the country, but so far they are not taking hold anywhere except New Jersey. That doesn't mean you can let your guard down just yet Page 11