



MEDICAL PROFESSIONAL
LIABILITY ASSOCIATION

January 26, 2023

The Honorable Robert Otto Valdez, Ph.D., M.H.S.A.
Director
Agency for Healthcare Research and Quality
5600 Fishers Lane
Rockville, MD 20857

RE: *Request for Information on Creating a National Healthcare System Action Alliance to Advance Patient Safety*; Federal Register Citation 87 FR 76046

Dear Director Valdez:

On behalf of the Medical Professional Liability (MPL) Association and its more than 50 medical professional liability insurer members, we appreciate this opportunity to share our industry's thoughts about the Agency for Healthcare Research and Quality's (AHRQ) request for information on how the U.S. Department of Health and Human Services' (HHS) proposed *National Healthcare System Action Alliance to Advance Patient Safety* (Action Alliance) can work with the healthcare community to improve the quality of care delivered to patients.

The MPL Association is the leading trade association representing insurance companies, risk retention groups, captives, trusts, and other entities owned and/or operated by their policy holders, as well as other insurance carriers with a substantial commitment to the MPL line. MPL Association members insure more than 2.5 million healthcare professionals around the world— doctors, dentists, oral surgeons, nurses and nurse practitioners, podiatrists, and other healthcare providers. MPL Association members also insure more than 3,000 hospitals and 50,000 medical facilities and group practices globally.

MPL insurers are committed to not just defending healthcare professionals and facilities, and providing compensation to those who have been injured when care did not meet the standard that we all expect. In fact, they are also committed to advancing patient safety and risk management initiatives that mitigate medical errors and patient harm. As such, we commend HHS' effort to create a multi-stakeholder vehicle by which to advance patient safety priorities that include improving health equity, addressing staffing shortages, leveraging telehealth and data sciences, and supporting the well-being of healthcare workers to reduce burnout.

During the AHRQ National Advisory Council's latest meeting in November, we were pleased to hear some council members advocate for the continued expansion of early communication and resolution programs (CRP) in healthcare settings and hope that the Action Alliance will thoroughly consider this issue. Some of our members, particularly in the hospital system setting, have been involved in the adoption and implementation of CRPs for many years. These programs aim to address some of the historic pitfalls associated with the medical liability system by encouraging healthcare professionals and facilities to communicate adverse outcomes with patients and their families and resolve these claims as swiftly and amicably as possible. By putting CRPs into practice, healthcare providers and facilities can ensure that the concerns of patients and their families are fully addressed and that steps are put in place to prevent future adverse outcomes. Furthermore, improving the process by which health professionals and facilities address these unfortunate events can aid efforts to capture information that may be incorporated into future risk management and patient safety initiatives.

The MPL Association collaborated with AHRQ in the development of the Communication and Optimal Resolution (CANDOR) Toolkit, and we have a strong interest in the future of early communication programs. As AHRQ works to recruit stakeholders to serve in the Action Alliance, we would urge you to consider reserving a seat at the table for medical professional liability insurers to ensure that the Action Alliance hears the MPL insurer community's unique perspective on CRPs and other avenues for improving patient safety.

We appreciate this opportunity to comment on AHRQ's request for information on how the Action Alliance can improve patient safety. Should you have any questions or need further information, please do not hesitate to contact me at batchinson@MPLassociation.org or 240.813.6128, or our Government Relations Department at governmentrelations@MPLassociation.org or 301.947.9000.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "BK Atchinson". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Brian K. Atchinson
President & CEO