

HE SAID; SHE SAID

How to Handle EMS Complaints

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The Context

- EMS like any other business
- Some “customers” will be unhappy
- Agencies should anticipate complaints and have procedures to handle them
- Procedures need to address customer’s concerns, system shortcomings, and employees’ rights

Who Complains?

- Patients (53%)
- Medical personnel (19%)
- Family members or friends (12%)
- Others (16%)
 - EMS personnel from other services, bystanders, motorists, firefighters, police

- Complaints against an EMS system. J Emerg Med 2003; 25:403-8. Denver.

What Do They Complain About?

- Rudeness (23%)
 - “Mean and nasty”
- Medical skills (20%)
 - “Carried mom like a sack of potatoes”
- Transport issues (18%)
- Lost items (13%)
- Others (26%)
 - Response time, driving, billing, etc.

- Complaints against an EMS system. J Emerg Med 2003; 25:403-8. Denver.

What Do They Complain About?

- Rude or unprofessional conduct (34%),
- Didn't take patient to the hospital (19%)
- Medical care issues (13%)
- Lost/damaged property (11%)
- Others (23%)

- Curka PA, **Pepe PE**, Zachariah BS, et al. Incidence, source, and nature of complaints received in a large, urban emergency medical services system. Acad Emerg Med 1995; 2:508-12. Houston, TX

Why Investigate Complaints?

- Our patients/citizens/taxpayers deserve to be heard
- May identify employee misconduct
 - Correction of behavior
 - Reduce potential liability to agency
- May identify system issues
- May identify misunderstanding/unrealistic expectations on part of public

Change

- Mayor Nutter's administration asked departments to establish customer service standards and measures for redress.
- "We want our customers to have a clear understanding of what they can expect from their government as well as what the department will do if the standard is not met."

- <http://www.phila.gov/performance/pdfs/Sept08CustomerServic.pdf>

PFD Customer Service Standards

- Priority Customer Service Standard
 - Complaints will be acknowledged in writing within 2 business days of their receipt.
- Redress:
 - Complainant will be contacted by phone by a chief officer or the head of the unit involved.

PFD Customer Service Standards

QUARTERLY

	Complaints	Medical	Operational	Attitudinal	Sustained	Percentage
FY 09						
1 st Quarter	32	9	13	22	6	18%
2 nd Quarter	41	14	14	26	6	14%
3 rd Quarter						
4 th Quarter						

MONTHLY

2009	Complaints	Medical	Operational	Attitudinal	Sustained**	Letter†
3rd QTR.						
January	16	6	7	7	1	15
February						
March						
Total						

** As of February 2, 2009, 12 complaints are still under investigation or awaiting disposition

† Acknowledgment letters sent within 2 days (1 complaint was received on a weekend)

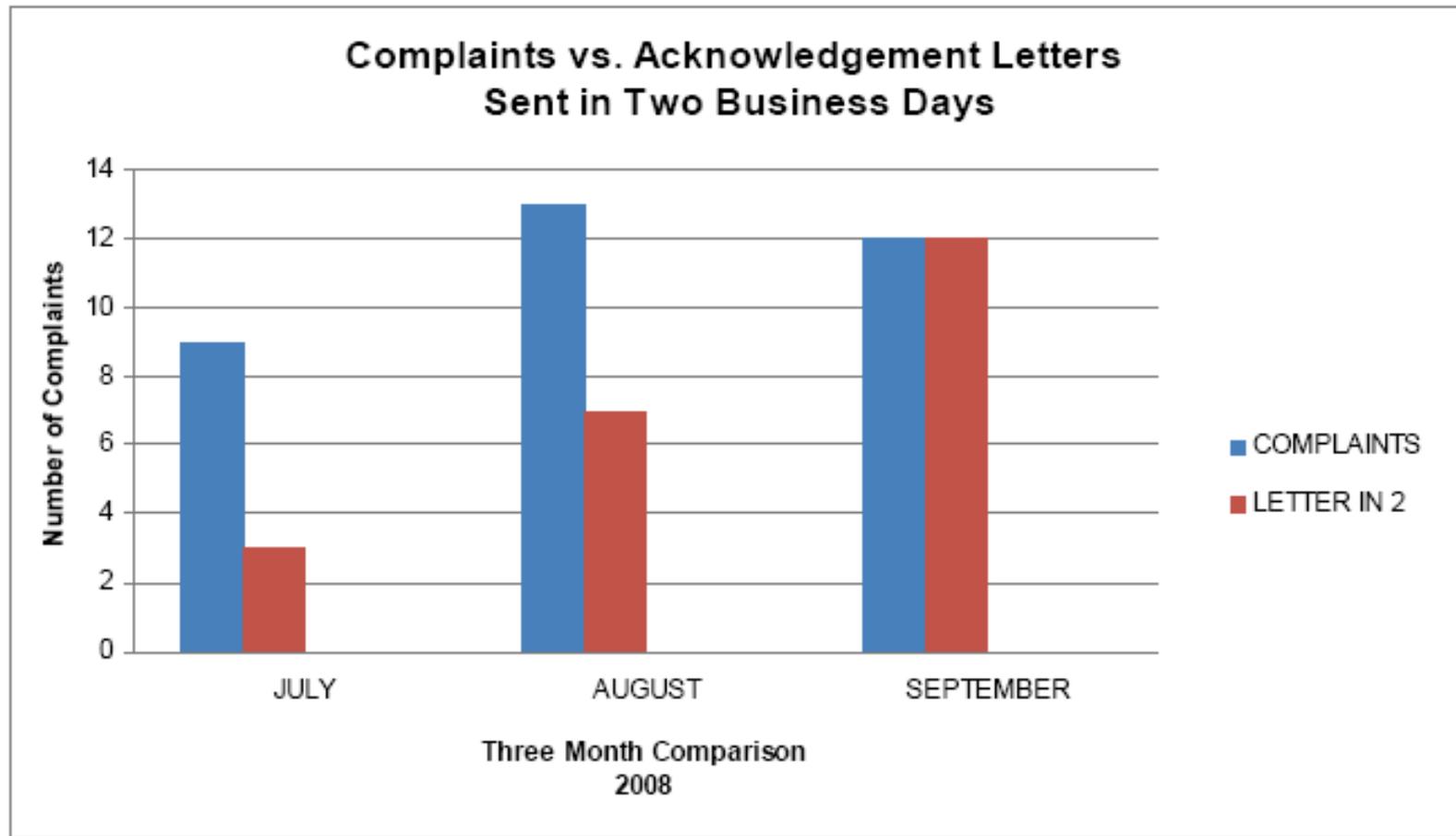
YTD COMPARISON

Complaints	FY 2008	FY 2009
1 st Quarter	17	32
2 nd Quarter	28	41
3 rd Quarter	32	
4 th Quarter*	23	
Total	100	73

PFD Customer Service Standards

FISCAL YEAR TO DATE DATA

GOAL: 100%



The Process

- Decide if the matter warrants a full investigation
 - Establish a threshold
- How will the complaint be accepted?
 - In writing, by phone, in person?
- Identify the keys issues in the complaint

The Process

- Who will do the investigation?
 - Unbiased, credible, trained for the role
 - Single, two, or more investigators?
 - The fewer the better
 - Cheaper, more consistent, less confusing

The Process

- How will interviews be conducted?
 - Preferably in person, especially complainant and accused
 - Visit the site of incident if possible
 - In a setting that respects confidentiality
 - In what order?
 - ? ❶ Complainant, ❷ Accused, ❸ Witnesses
 - To tape or not?
 - Okay if all consent, and this is recorded

The Process

- What if unionized employee wants a representative present?
 - *Weingarten* Decision (1975) states a unionized employee has the right to union representation if interview may reasonably be expected to result in disciplinary action.
 - National Labor Relations Board (2004) ruled this does not apply to non-unionized workers.

The Conclusions

- Incident occurred as alleged
- The allegation is in part true
- The incidents occurred but employee was acting according to procedure
- Incident did not occur
- Unable to determine

The Conclusions – Philly Style

1. Sustained
2. Not Sustained
3. Exonerated
4. Unfounded
5. Unfounded with aggravating circumstances
6. Frivolous
7. Withdrawn
8. Suspended
9. Referred to...

The Conclusions – Philly Style

- FY 2008: 100 complaints
 - 217,000 EMS responses
- FY 2009 (1st two quarters): 73 complaints
 - 16% sustained
 - 32% medical
 - 37% operational
 - 66% attitudinal

The Disposition – Now What?

- Counseling
 - Who does this?
- Education/training
- What to do with “repeat offenders”
 - What if the complaints are not sustained
- Disciplinary action

Some Twists

- What if the employee wants to cross-examine the witness
- What if the employee wants to read the complainants statement?
- What if the union wants to do its own investigation?
- Is there an appeal process?
 - Who has the final say?

Complaints Investigation: The Good Side

- Makes agency responsive to shareholders
- Helps to identify issues with individual employees or system-wide
- Helps to identify misconceptions held by the public
- Protects agency
- Enhances overall service

Questions?