



D46 Forensic Science in the Health Care Setting: Pitfalls and Promise

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The goal of this presentation is to present forensic scenarios that occur in health care settings which require the application of forensic principles in order for proper investigation to ensue and quality of care improvements instituted; and to discuss strategies for educating and training health care providers to recognize and respond to possible forensic situations in a health care setting.

Since it is the duty of every health care provider to ensure a high level of quality patient care and accurate delivery of such services, this presentation will impact the forensic community and/or humanity by demonstrating that health care providers should have some level of awareness of what constitutes medico-legal and forensic significance.

The Department of Veterans Affairs (VA) Office of Inspector General (OIG) has extensive experience with numerous problems relating to potential forensic scenarios — both civil and criminal — that occur in the health care setting. Clinical forensic events of a civil nature usually include basic quality and standard of care issues. Criminal forensic events that can occur in the clinic and hospital setting may include, but are not limited to, patient abuse; suicide; assault; homicide; medication-related concerns including medication or delivery system tampering, improper medication administration, and grossly negligent medication errors; medical equipment and device tampering; problems with restraints; and problems in search and rescue procedures for eloped patients. The authors present data from over 100 such cases reviews.

In order to successfully understand these events for quality assurance and patient safety purposes, and to gather necessary information for prosecutorial purposes, it is essential that the scene of a possible forensic event in the health care setting be properly preserved.

To do this, it is necessary that those involved in direct patient care have increased awareness of what constitutes a forensic situation, and that there be designated clinicians who have the forensic knowledge base to respond appropriately. Preserving forensic evidence never precludes life-saving patient care delivery; however the skilled clinician with appropriate forensic training will be able to accomplish both without compromising either responsibility.

Medical school curricula offer little or no training in these issues. In fact, sometimes, it is falsely believed that forensic sensibilities are developed at the expense of patient care. Likewise, consideration must be given to the registered nurse who is an integral part of every aspect of patient care delivery. The contributions of clinical forensic nursing to direct patient care delivery, to the case reviews conducted by Quality Management, and finally to external investigations conducted by law enforcement or other agencies should be examined. Additionally, hospital-based clinical social workers may have important contributions to make in this regard. Overall, VA OIG data suggests that it is vital for every hospital have a core team of individuals who have been thoroughly indoctrinated in the discipline of forensic science, especially with specific applications to the health care environment.

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