

Madison Patient Safety Collaborative

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MPSC Statement Regarding Recent Legal Actions against a Madison Nurse

***Attribute to:
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The healthcare community in Madison and throughout the state of Wisconsin continues to grieve for the loss of Jasmine Gant and also for the healthcare team caring for her during the recent tragedy at a Madison hospital. Each hospital in Madison has since examined its policies and procedures around epidural medication delivery. Representatives from each hospital will be working through the MPSC to redesign the epidural medication delivery system to eliminate the risk of the same error occurring again.

This young woman's untimely death adds powerfully and personally to our dedication to a health care system that has patient safety at its core. Our experience and expertise in the complex realm of patient safety leaves us profoundly disappointed with the decision of the Department of Justice (DOJ) to bring criminal charges against the nurse who was part of this tragedy. The "criminalization" of unintentional errors in the delivery of medical care is contrary to, and undermining of, everything we know about making progress in patient safety.

For many years, the safety of both patients and healthcare employees did not get proper attention. A focus on individual failure rather than poor system design was pervasive. A culture of "blaming and shaming" individuals who were involved with unintentional errors served to suppress reporting, discussion, and action on safety issues. Healthcare was delivered behind a façade of safety, even as we worked in an error prone system.

Nationally and locally we have come to a cultural crossroads. We have come to accept that "to err is human" and that, rather than punish unintentional errors, we must direct our efforts to the design of care delivery systems that compensate for our inherent human frailties. For the past five years, the work of the Madison Patient Safety Collaborative has been an important way in which Madison's major health care providers have exercised their dedication to this new culture. Through our sharing of experience, data, ideas, and implementation strategies, we are moving toward our goal of making Madison one of the safest places in the nation to receive health care. We have encouraged and helped others in Wisconsin to follow our lead.

In this context, the DOJ's action represents a regressive and harmful approach to the young and fragile patient safety movement. In returning to the "blame and shame" approach, the DOJ has added yet another threat to the maintenance of an adequate healthcare workforce, at the same time that is reinforcing the historical barriers to open reporting and discussion of patient safety issues. The halls of our healthcare institutions are abuzz with a mixture of sympathy for all the victims of this medical error and anger over the DOJ's unprecedented decision to prosecute. For everyone's future safety and well being, we urge the DOJ to reconsider and revise its approach to this tragedy.