

**05-10**

**FOR:** DIRECTIVE TO ESTABLISH MEDICAL ERROR REPORTING AND QUALITY SYSTEM

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

**WHEREAS,** Indiana's hospitals are among the most advanced in the country and must continue to lead the way in improving patient care and health outcomes;

**WHEREAS,** a landmark report by the Institute of Medicine and other evidence demonstrates that medical errors are among the leading causes of death in the United States and impose an enormous economic cost on families and businesses;

**WHEREAS,** a growing, widely respected body of standards, best practices, and technical support services now exists on which to construct medical error reporting and quality systems (MERS), including the work of the Hospital Quality Initiative of the federal Department of Health and Human Services, the Institute for Healthcare Improvement, and the "Leapfrog Group" of private business and healthcare purchasers;

**WHEREAS,** hospitals across the country are implementing MERS to improve healthcare and demonstrate to both health professionals and the public that procedures can be implemented to reduce medical errors by identifying and controlling the associated hazards;

**WHEREAS,** successfully implemented MERSs reduce the frequency of medical errors and can reveal the causes for errors and empower healthcare professionals to design methods to prevent or discover errors before patients are harmed; and

**WHEREAS,** Indiana hospitals are not currently required to implement a MERS, and the successful implementation of a MERS would likely radically improve Hoosier healthcare and lessen healthcare costs;

**NOW, THEREFORE, I, Mitchell E. Daniels, Jr.,** by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. As soon as practicable, the Department of Health (DOH) shall promulgate regulation, and, if necessary, propose legislation, requiring each hospital in this State to implement a MERS.
2. The DOH shall confer with various representatives of the State's hospitals, physicians, nurses, pharmacists, and quality improvement experts and consult best practices guides, including the 10-measure "starter set" of quality reporting indicators that are supported by the federal Hospital Quality Initiative, to develop minimum standards applicable to every MERS in the State.
3. To ensure that each hospital's MERS is effective, the MERS should, at a minimum:
  - a. ensure that patients' and healthcare professionals' identities are kept confidential and not discoverable in any court or administrative proceeding;
  - b. not be used as the basis for punishing any healthcare professional;
  - c. require all healthcare professionals to report medical errors promptly;
  - d. require hospitals to report all MERS data to the DOH, which shall make the information available on its website for the public to see which hospitals are the most successful in reducing medical errors;
  - e. require DOH to regularly disseminate medical error data and trends analysis to hospital administrators, front-line caregivers, and the public so that hospitals can implement useful error prevention strategies;
  - f. require hospitals to provide patients with easy to understand aggregate data and trends analysis so that patients understand their role in helping to prevent errors; and
  - g. require hospitals to share successful solutions and improvements with other hospitals.

**IN TESTIMONY WHEREOF**, I, Mitchell E. Daniels, Jr., have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 10<sup>th</sup> day of January, 2005.

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Mitchell E. Daniels, Jr.  
Governor of Indiana

ATTEST: Todd Rokita  
Secretary of State