

PENDULUM



Pendulum is a full-service risk management company providing consulting services, tools, products, and training to healthcare providers of all types. Our network of highly skilled risk control consultants is available to provide liability risk assessments, on-site consultation, and development of quality and specialty programs within multiple healthcare settings. Our risk management products include training materials, Web-based tools, and software applications.

Pendulum is an independently owned company offering a unique *third-party approach* in evaluating potential risk and providing innovative risk management strategies. We are viewed by our clients as the premier risk management company in the industry.

Our mission is to assist organizations with **minimizing** professional and general liability risk and **strengthening** defensibility—we refer to this as *balancing risk and defensibility*.

Thank you for taking the time to review our service offerings described in this information packet. We look forward to working with you.

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SERVICES

On-location Services

Pendulum offers a wide variety of on-location services performed by our team of highly skilled consultants. On-location services can be conducted in a spectrum of healthcare operations, from skilled nursing facilities and hospitals to such specialty facilities as behavioral health.

All of Pendulum's on-location services can be customized to fit the client's needs.

A written report with findings is a component of every on-location service. Recommendations are included to enhance risk management practices and provide valuable business intelligence with respect to patient safety.

Professional Liability Risk Assessment

Pendulum's Professional Liability Risk Assessment is an effective tool utilized by insurance underwriters, agents, and brokers to make proactive and informed decisions regarding professional liability insurance coverage and market placement.

During a full one-day assessment, the Pendulum consultant evaluates clinical and operational processes and the environment for risk of liability exposures. The consultant's visit can include specific areas of focus customized to meet the client's needs. A written report that includes all of the consultant's findings and recommendations is also provided.

Pendulum's exclusive Risk and Defensibility Matrix allows identification of the risk of professional liability exposures and the facility's strength of defensibility should a claim be filed.

Customer Service Assessment

Customer service has become an important facet of long term care as facilities deal with the risk of litigation, quality indicator surveys, and the Centers for Medicare & Medicaid Services (CMS) Five-Star Quality Rating System.

The Customer Service Assessment is a one-day, on-site evaluation of the facility's customer service

program performed by a seasoned, customer service-focused risk management specialist. The assessment includes a follow-up report with recommendations for program enhancement.

One-day Focused Survey Compliance Review

Experienced risk management professionals conduct a focused visit, examining areas of concerns based on regulatory survey deficiencies. In-depth consulting is provided upon review of processes and systems related to the areas of focus. Recommendations are provided to assist the facility with maintaining regulatory compliance.

OIG Compliance Assessment

During a full one-day review, a Pendulum consultant evaluates the status of current facility and/or organizational practices as compared to Compliance Program Guidelines for healthcare, assisting organizations in strengthening their Office of Inspector General (OIG) compliance.

Mock Survey/QIS Preparedness Assessment

Is the facility's survey book ready? How should staff answer surveyors' questions? The Quality Indicator Survey (QIS) Preparedness Assessment is a one-day, on-site assessment that assists an organization in preparing for a QIS.

Using Omnibus Reconciliation Act (OBRA) structure and time frames, Pendulum provides a comprehensive on-site mock survey spanning one or two days. A QIS professional conducts an assessment of the facility's awareness and understanding of the QIS process, Stage I process, Triggered Critical Elements, and Stage II process.

Included is a review of policies and procedures, meal management, medication administration, employee files, QA&A processing, the survey book, health records, CMS forms 672 and 802, and CASPER data. A daily conference with staff allows managers to implement positive changes during the actual Mock Survey process, helping the facility prepare for its next survey.

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Based on the assessment findings, the QIS professional conducts a customized training session for leadership and designated staff. The QIS professional and facility leadership then complete a QIS Preparedness Action Plan to assist the organization in implementing the necessary steps for QIS readiness.

Disaster Preparedness Assessment

The Disaster Preparedness Assessment provides a comprehensive analysis of a facility's disaster preparedness programs, training and education, and emergency contingency systems.

This multidisciplinary process utilizes document review, supply-level analysis, established practices and processes, response resources and emergency equipment, a human resources assessment, and a physical plant survey to provide a comprehensive evaluation of a facility's state of readiness as well as compliance with recommended practices pertaining to disaster planning and recovery programs.

Life Safety Assessment

During a full one-day assessment, the consultant evaluates all elements of the facility's fire and life safety program to help assess proficiency pertaining to emergency response procedures.

The service includes interviews with leadership and other staff members, a detailed evaluation of all elements of the physical plant, and review of written emergency procedures. After the visit, a written report of assessment findings, including recommendations to enhance risk management practices, is developed.

Security Vulnerability Assessment

A comprehensive Security Vulnerability Assessment is performed by a qualified healthcare security professional. After the assessment, the facility is provided with a detailed analysis of findings. The consultant works with the facility's management team to enhance existing security practices and establish best practices. Services are customized to meet the needs of each facility on an individual basis.

Mock OSHA Audits

It wasn't long ago that a healthcare facility could turn to OSHA for guidance, consultation, training, and other forms of assistance—but those days are gone.

OSHA is now about enforcement and is using severe monetary penalties against long term care facilities to drive home this point. The National Emphasis Program (NEP) clearly states OSHA will target nursing homes and residential care facilities in an effort to reduce occupational illnesses and injuries.

Mock OSHA Audits are performed by certified and experienced healthcare safety professionals. Taking the same approach as an OSHA compliance officer, the consultant provides a comprehensive review of a facility's safety management program.

Hospital Assessment

The hospital setting presents unique challenges in the areas of risk and defensibility, and Pendulum offers services to help hospitals face these challenges.

Pendulum's on-location services for hospitals are designed to help identify opportunities for risk reduction and enhancement of defensibility. Over the course of one or two days, an expert consultant will visit the hospital and conduct an extensive review of a clinical or operational focus area(s). The areas of review selected typically have high risk and/or regulatory exposures.

Focused service line assessments include emergency medicine, obstetrics/high-risk obstetrics, inpatient surgical services, and outpatient surgical services. Programmatic services include consent and informed consent, defensive documentation, and disclosure of adverse events.

Recommendations on how to reduce risk and improve defensibility are offered throughout the process and in a comprehensive report provided to the facility.

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Cyber Vulnerability Assessment

Our world and the devices we use are more and more connected every day, and while this enhances lives and businesses, there are significant risks to data and business security.

There is no longer a compartmentalized network model. What exists is a borderless network in which servers, storage, desktops, printers, phones, and security systems—and even lighting, HVAC systems, and coffeemakers—are all interconnected.

This integration introduces increased risk of business interruption, network breaches, service outages, and loss of valuable confidential data. Additionally, a business may be subject to federally mandated industry security regulations.

To address these risks, Pendulum has partnered with Ardham Technologies to offer network vulnerability analysis and penetration testing.

Ardham Technologies' networking security engineers combine top-tier network assessment methodology, custom coding, and in-depth testing tools with years of security, testing, and remediation experience. Ardham filters out the noise, identifies real-world threats, and provides recommendations for protecting valuable data and businesses.

Focused On-site Consulting Services

Risk management consulting services may be customized to meet the needs of the organization.

Examples include conducting a corporate risk readiness assessment, assisting with the development of a facility-based risk management program, staff training, development of specific high-risk policies and procedures, or a focus on trends in claims or clinical risk issues.

Liability Risk Control Program

Every healthcare facility has unique risk vulnerabilities and needs that must be met using a thoughtful approach. Pendulum's Liability Risk Control Program is a customizable solution that

will help an at-risk facility identify its areas of vulnerability and manage and reduce the risk of liability events in these areas.

The program includes a risk assessment and other on-location services, monthly conference calls, participation in risk management meetings, and access to online resources—as well as the guidance and expertise of a dedicated Pendulum consultant.

Through the Liability Risk Control Program, a facility may potentially reduce liability events and improve defensibility against claims. The program also promotes awareness of risk management techniques among staff as well as the insurance carrier.

Annual Risk and Quality Management Program

Pendulum's team of risk management professionals can help your organization create a custom risk management and/or quality management program based on our well-established best practices and expertise in the field.

These custom solutions are often based on a year-long program in which a senior consultant facilitates the process for your organization to create a truly innovative and perfectly tailored program that fits the specific needs of your specialty. This customized program can include any of Pendulum's suite of services and products.

Medical Record Procurement Service

Procuring and organizing medical records and other documents to defend a claim can require considerable time and effort on the part of a legal team.

Pendulum's Medical Record Procurement Service saves time by providing a facility with seasoned healthcare consultants who can locate documents critical to a claim.

Based on their wealth of experience, Pendulum's consultants know the usual—and unusual—places where facilities store their records.

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Using a client-provided list, the procurement team can collect and organize items including, but not limited to, medical records, incident reports, meeting documentation, physician orders, correspondence, and personnel records, allowing legal teams to focus on review of documents and building a defense.

“I am shocked at the number of documents Pendulum found that we did not know even existed,” one client defense attorney remarked of Pendulum’s Medical Record Procurement Service.

Pendulum Armed Intruder and Active Shooter Program

What would you do if an armed intruder makes his or her way into your building? Are you and your staff prepared?

The Pendulum Armed Intruder and Active Shooter Program is presented by the Pendulum Crisis Management Team, whose experts review what you need to know and for what you need to be prepared in the event that a hostile act occurs within your building or on your property.

The Pendulum Crisis Management Team includes members of EM Alliance, a partnership formed by leaders in risk management, fire and life safety, security administration, and disaster recovery to provide the tools and services needed for disaster planning, response, mitigation, and recovery.

Off-site Consulting

Desk-based Audit Services

Pendulum offers two desk-based audit services.

The **professional liability desk audit** includes a review of specific facility documents, including policies and procedures, regulatory survey data, loss runs, staff training, and orientation records.

A written analysis of risk potential and possible defensibility is provided—along with recommendations for risk-reduction strategies and strengthening defensibility.

The **disaster plan desk audit** is a review of the facility’s disaster plan. Recommendations are provided to ensure the plan reflects current emergency management practices.

The Federal Emergency Management Agency (FEMA), Department of Homeland Security, and CMS have provided numerous guidelines for disaster planning in the healthcare setting, but often these programs may not be specifically tailored to your organization. Our team can help provide specific recommendations to update or re-engineer your plan and offers resources to assist you in successfully deploying a custom program.

Risk Control Consulting Services

Customized services to meet client needs are priced in four- to eight-hour blocks. Services can include a professional risk management review of a specific high-risk area, guidance on current best practices, a review of resident records and documentation post-event or in anticipation of a claim, assistance with policy and procedure development, risk management education, and adverse event consultation services.

AssistLine™

AssistLine is Pendulum’s risk management hotline. Subscribers can call or email Pendulum’s staff of skilled risk managers to ask questions and get resource information pertaining to risk reduction and mitigation of potential losses.

AssistLine provides an off-site resource center for guidance on adverse event management and addressing risk concerns—as well as references for operational and clinical policies and procedures, regulatory issues, forms, and tracking tools.

PRODUCTS

Information and Training Modules

Pendulum's Information and Training Modules are designed to assist all levels of facility staff in managing high-risk topics. The modules are customized specifically for the skilled nursing and assisted living settings. The base module is Risk Management Strategies; this module is an excellent reference in helping a facility manage risk. Other module topics include fall management, abuse prevention and management, expectations management, and customer service.

Professional Users

CASPER 3 & 4 from CareScout

CareScout produces extraordinary CASPER 3 & 4 survey data reports that are used by Pendulum consultants nationwide. These reports provide facility staff with survey results and resident demographic information kept on file by CMS. The CareScout CASPER report features trend line data for each 672 resident data fields and offers a survey rating that compares the facility's survey history against others in the CMS database.

ticler[®] and ticlerCOI[®] Software

ticler is an electronic tickler system that is intended to provide two primary functions—to inform the user when time-sensitive, tracked items are about to expire (such as certificates of insurance for vendors, equipment maintenance, credentialing, and employee training and licensing) and to provide a historical record of the tracked items. ticlerCOI deals only with certificates of insurance as a stand-alone module. The ticler Assistant is an on-screen reminder that provides notification of documents approaching expiration.

Pendulum NewsWatch Newsletters

Pendulum NewsWatch is a quarterly newsletter that keeps readers informed on the latest industry developments, legal issues, and regulatory news. With two editions—one focused on healthcare risk management and the other on senior housing—NewsWatch provides a wealth of information in a wide range of areas impacting long term living and healthcare providers.

WebPI

In today's world, people post personal and potentially damaging information online every day. WebPI searches client-specified targets, capturing information from social media networks and the Web. Technicians conduct extensive open-source intelligence (OSINT) research and data collection using the techniques and technologies of law enforcement and government agencies. WebPI can provide information about individuals, facilities (including underwriter-specific reports), and brands, offering clients a new way of managing their liability risk. WebPI also offers monitoring of any online discussion about an adverse situation.

MED-PASS Emergency Preparedness Products

Codeveloped with Pendulum, this line of products includes an emergency preparedness planning resource manual, an emergency preparedness and response policy and procedure manual, and an emergency management guide.

Tools and Training Products

Pendulum offers tools and training products professionally produced by leaders in the healthcare industry, including:

- American Medical Directors Association
- Extended Care Products
- HCPro
- InService Monthly
- Medcom
- MED-PASS
- Ohio Health Care Association
- Senior Living University
- Sorry Works!

These guides, books, DVDs, and training programs have been carefully selected by Pendulum's clinical staff in order to help a facility manage high-risk areas and in-service training.

Pendulum Online Store

[Pendulum's online store](#) is a one-stop shop where you can find all of our senior housing risk management resource materials and training products—as well as those of our affiliated partners.

WEB RESOURCES

Pendulum Risk Management Resource Center

Through an annual subscription, users may access numerous documents online that can help the facility administrator or clinician in managing risk in the healthcare setting. Information on the Resource Center includes assessment forms and checklists; aging-related risk language; arbitration/mediation agreements; clinical policies and procedures; regulatory guidelines; survey management tools; and risk-reduction recommendations.

eAssist™ allows the subscriber to ask a clinician a question regarding any area of risk management in the healthcare setting and receive a direct response.

“Resources for Risk” Customized Online Resource Center

The “Resources for Risk” online resource center is a Pendulum product designed to provide a client with the ability to offer its clientele a branded, password-protected Web portal with extensive risk management resources created and/or sourced by Pendulum.

The center contains resources from the Pendulum Risk Management Resource Center but also allows clients to upload their own resources that are solely available on the customized center. Pendulum will build a portal using the client’s logo, colors, and risk management resource documents to provide a powerful risk management website with a unique Web address (URL) that can be marketed without any reference to Pendulum.

Web-based Incident Reporting/ Event Management

Pendulum offers a Web-based Incident Reporting/Event Management System that records and tracks all notices of incidents/events. Because this system is browser-based, it offers an effective way to capture information immediately after an event has occurred. Security restrictions may be implemented for each user’s access to the system.

The Event Management System can maintain all data relating to an event, including general information about the event, post-event assessment, event-type details, and department manager/supervisor and risk manager follow-up. The system generates detailed reports to help track, trend, and manage events—a critical function in managing liability risk. Reports also may be customized to the user’s needs.

Professional Liability Claim Processing Service

Pendulum offers claims processing services using a Web-based software program customized for general and professional liability claims.

Insurance carriers, healthcare providers, third-party administrators, and self-insured groups have made Pendulum their solution for effectively managing senior housing healthcare claims and litigation data without incurring significant costs for software purchases, personnel resources, and system maintenance. Pendulum allows the claims adjuster, risk manager, or litigation manager to be more efficient in “adjusting or managing” his/her claim load and less focused on managing data. The claims processing system provides for MMSEA reporting, with Pendulum serving as the Responsible Reporting Entity (RRE).

Enterprise Risk Management

One of Pendulum’s newest risk management tools, Enterprise Risk Management (ERM) is a Web-based system that helps a facility develop a strategic risk management plan. ERM allows facility staff to assess the probability and impact of internal and external risk events in operational/clinical, environmental, legal/regulatory, human resources, technology, financial, and strategic areas.

Based on the facility’s priorities, the system generates a comprehensive action plan with assigned tasks and time lines.

Implementing the ERM program not only can reduce liability risks and the potential for financial loss—it can also enhance quality outcomes and reputation.

CONTACT



Please contact Pendulum for further information on how we can customize an innovative risk management program for you.

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