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# Har pasient og pårørende noe å fortelle? Do patients and relatives have anything to tell?

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## National Supervisory Authority for Welfare and Health, VALVIRA

Valvira is responsible for ensuring the adequacy of services provided by health care professionals and health care operating units through guidance and supervision. This includes the processing of complaints, notifications and other supervisory matters related to the adequacy of services, which may arise as a result of official requests for opinion. A further key area is the provision of information, specialist guidance and training.

In addition, Valvira issues insurance medical statements on the causality of injuries to other authorities, upon their request.

In addition to Valvira Regional Government Offices (6) deal with complaint cases as well. Valvira is authorized to guide their supervising activities (similar cases will be similarly dealt with, similar criteria, similar evaluation and decisions )

As part of collaboration LGOs and Valvira have a close collaboration, share information and decision etc documets in real time on a common sheltered electronic base

[www.Valvira.Fi](http://www.Valvira.Fi) (Finnish, Swedish, English)

# Tillsynen över social- och hälsovården i Finland

## Social- och hälsovårdsministeriet

- bereder lagstiftningen och ansvarar för den övergripande styrningen av social- och hälsovården

## Tillstånds- och tillsynsverket för social- och hälsovården, Valvira

- styr regionförvaltningsverken, arbetar för enhetlig tillstånds- och tillsynspraxis i hela landet
- tillsynsprogrammen används som verktyg även för förhands- och egenkontroll
- beviljar riksomfattande tillstånd för privata social- och hälsovårdstjänster
- avgör tillsynsärenden i vissa fall

## Sex regionförvaltningsverk

- sköter den regionala styrningen och tillsynen av social- och hälsovårderna
- beviljar regionala tillstånd för privata social- och hälsovårdstjänster
- tillsynsprogram för förhands- och egenkontroll
- handlägger och avgör tillsynsärenden

## Offentliga och privata verksamhetsenheter inom socialvården och hälso- och sjukvården

- egenkontroll
- handlägger anmärkningar från patienter och klienter
- även primärkommunen övervakar socialtjänsterna inom sitt område

## Institutet för hälsa och välfärd

- socialvårdens och hälso- och sjukvårdens myndighet för forskning, utveckling och statistik

## • Tillsynsärenden inom social- och hälsovården väcks på basis av

- klagomål från patienter, klienter eller deras anhöriga
- anmälningar från apotek, olika myndigheter, arbetsgivare eller medborgare
- tillsynsprogram
- myndighetens eget initiativ t.ex. efter behandling i medierna

## • Tillsynsärenden som inkommit till Valvira och regionförvaltningsverken år 2010

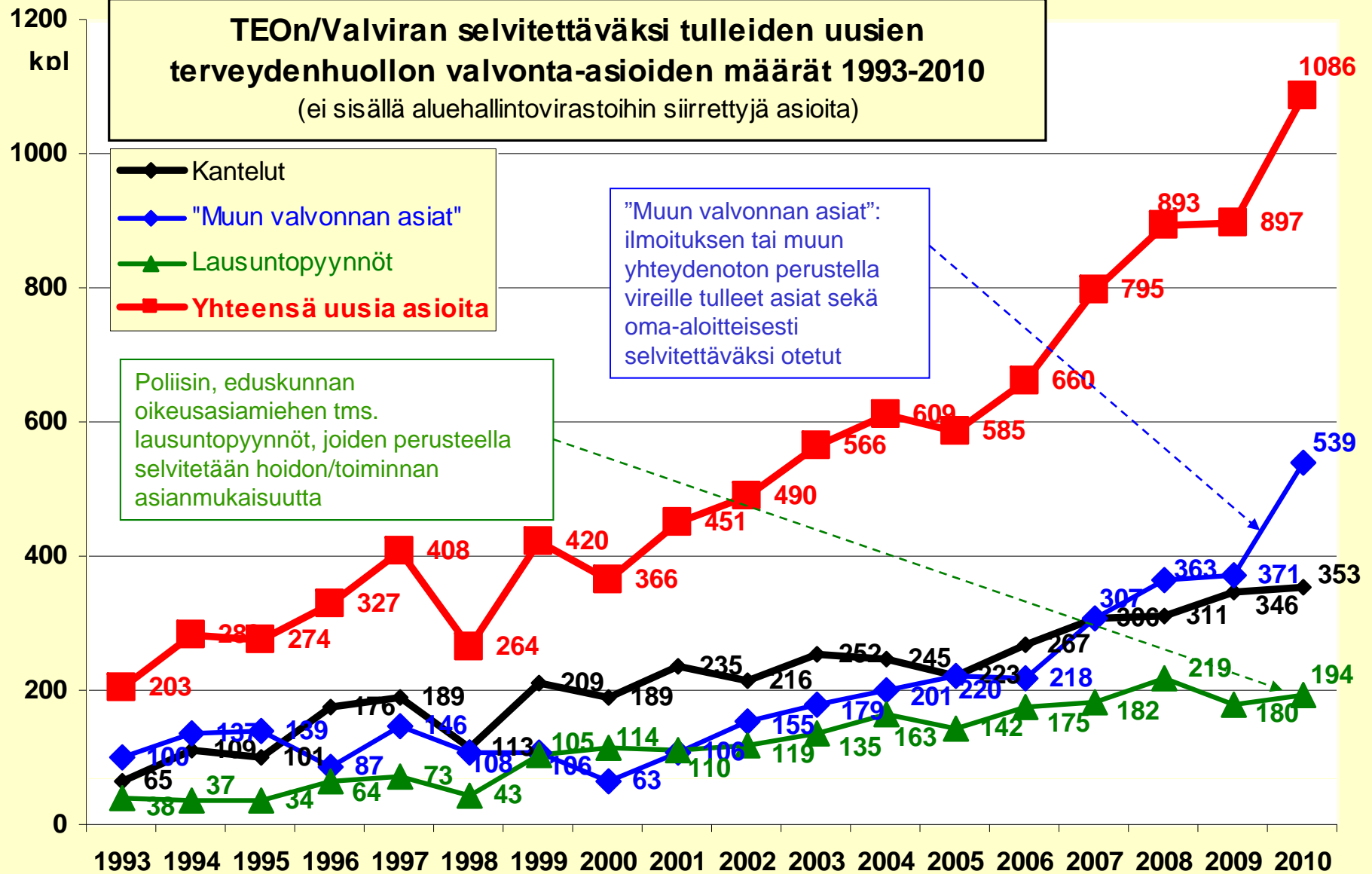
socialvården	1 183
hälso- och sjukvården	2 203

[www.valvira.fi](http://www.valvira.fi)

[www.avi.fi](http://www.avi.fi)

## TEOn/Valviran selvittäväksi tulleiden uusien terveydenhuollon valvonta-asioiden määrät 1993-2010

(ei sisällä aluehallintovirastoihin siirrettyjä asioita)





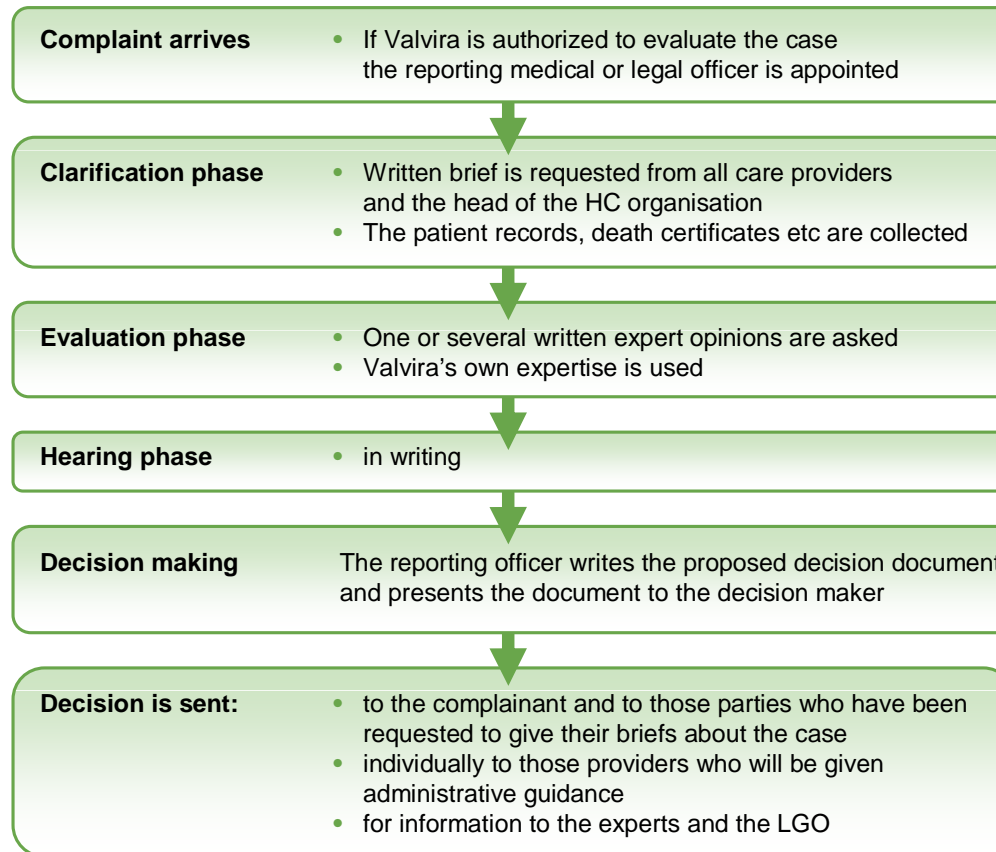
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## Kan pasienter og pårørende be tilsynsmyndighetene om å starte tilsynssak mot helsepersonell eller virksomheter?

*Can the patient or his representative ask the supervisory authority to examine the performance of a health provider or a health organization*

- Yes he can by sending in a complaint! Also a notification is possible.
- Valvira evaluates approx. 500-600 (350+200) cases in which malpractice as reason for the death is suspected by a relative or the polis, court or parliament ombudsman. In addition aprox. 500 notifications about inappropriate professional activity
- The Local Government Offices (6) evaluate approx. 1000 cases (complaints +notifications) yearly (patient alive)

## The evaluation of a complaint case





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## Når tilsynssak er startet skal/kan det innhentes forklaring/informasjon fra pasienter og pårørende?

*When the examination process has started, can the patient or relative give or can the evaluator ask for more information or explanation about the issues involved?*

*Yes! The complainant can and at times also spontaneously sends more information from his point of view. If relevant, this information is taken into account. Even if considered irrelevant it is shortly dealt with in the decision.*

*Valvira can also ask for more information at this point if necessary, but this is not a regular part of the evaluation process.*

*When briefs/statements from the providers have arrived, Valvira can and sometimes asks the complainant to respond to details taken up by the provider...for instance if there is a significant difference between their descriptions of the course of events*



## Har pasienter rett til å bli informert om at pasientjournalen er sent til tilsynsmyndigheten?

*Has the patient right to be informed if his patient records and illness history is sent to the supervisory authorities?*

Yes! And no

In complaint cases the patient or relative are not separately informed. This issue seems to be common knowledge among the population.

It is stated in the Law about Valvira, that Valvira has right to and the providers must send all documents even if confidential to Valvira

In notification cases (by outside parties) the patient does not know if his patient records or prescription records are used to evaluate the activities of the provider





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## Har pasienter/pårørende rett til å se sakens dokumenter?

*Has the patient or the provider under evaluation access to the documents generated during the evaluation process*

In complaint cases the decision is sent to the complainant if he is a close relative (Valvira)

The Law on Patient Rights states that a relative is entitled to copies of patient record if that is necessary for his important interest.

Valvira considers a close relative's suspicion of malpractice an important interest.

The complainant/patient is entitled to get the response statements given by the providers as well the evaluation document given by the expert.

All parties concerned get Valvira's decision document



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## Har pasienter/pårørende rett til å kommentere uttalelser fra andre?

*Is it possible for both parties to comment on the information and documents sent in by the other parties?*

*Is it possible for the patient or the person involved to meet the representative of the supervisory authority?*

The complainant is sometimes requested to comment if his blame and the provider's description about the care process contradicts the complainant's pretensions

The provider gets all the documents sent to Valvira by the complainant

Meeting the parties personally in complaint or statement cases is not considered to add any value to the evaluation process. Sometimes in notification cases an inspection visit is done.



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## Skal pasienter/pårørende informeres om sakens utfall (hele vurderingen eller bare resultatet)?

*Is the patient or the person or the organisation in question only informed about the conclusion of the evaluation or are they entitled to get the whole evaluation document*

Both parties get the whole document (3-30 pages). Very often the expert opinion (evaluation) document is enclosed.

Also other documents are sent by request.

All in all these evaluation processes are very open to both parties.



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## Do these stories carry any information that is important for improving medical services/health care ? **YES**

Valvira uses this information as a source for informing, guiding and training in the form of official letters even to all health organisations in the country, lectures (200 yearly) given to professionals, giving official instruction and informing the ministry in order to influence future legislation .

example issues:

standby for emergency C-section in maternity hospitals,  
proper explanation of DNR-decisions to the patients and relatives,  
appropriate clinical evaluation of a patient with chest pain,  
adequate guidance and supervision by superiors to medical students working as physicians,  
the importance to dispose unused drugs properly,  
appropriate patient record keeping

The aim is to transform incoming information telling about problems, mistakes and errors in medical services into anticipatory guidance to all care giving parties.

The officially published information is also used as criteria source in evaluation and reference for decisions in cases to come.