

School: Legal
Course: First of all – Do No Harm
Faculty: Robert Aurbach, Principal Consultant, Robert Aurbach d/b/a Uncommon Approach

Summary

The course "First of all – Do No Harm," taught by Robert Aurbach of Uncommon Approach in Australia, emphasizes the application of the medical principle "Do No Harm" to workers' compensation claims management. Aurbach, with extensive experience in various jurisdictions, highlights how legal and procedural aspects of the claims process can inadvertently harm injured workers, and offers strategies to mitigate these effects.

Aurbach begins by introducing the principle of "Do No Harm," rooted in the Hippocratic Oath, and its relevance to workers' compensation. He argues that just as doctors aim to avoid causing harm to patients, claims professionals should strive to prevent additional harm to injured workers through their management practices.

The psychological and emotional impacts of the claims process are a major focus. Aurbach explains how the repetition of the injury narrative, combined with procedural delays, can create negative psychological patterns in workers. These patterns, reinforced by frequent recounting of their injury and associated adversities, can become entrenched habits of thought, leading to prolonged disability and poor mental health outcomes. He illustrates this with the example of the Navajo Nation, which has successfully maintained a low-litigation model, resulting in better recovery rates and lower premiums.

Minimizing delays is crucial in preventing these negative outcomes. Aurbach emphasizes the importance of procedural efficiency and avoiding unnecessary litigation tactics that extend the claims process. Prompt resolution of claims not only reduces costs but also facilitates faster recovery and return to work for injured workers.

Building trust and enhancing communication between claims professionals and injured workers are also highlighted. Aurbach stresses the need for clear, consistent communication and addressing workers' concerns empathetically. Trust can be established through transparency and honesty, which are essential for effective claims management.

Integrating holistic support systems, including medical, psychological, and social resources, is essential for facilitating recovery. Aurbach advocates for providing access

to quality healthcare, coordinating with healthcare providers, and addressing mental health needs. He cites examples of best practices and offers practical recommendations for implementing these strategies in claims management.

In conclusion, Aurbach's course provides a comprehensive overview of how the principle of "Do No Harm" can be applied to workers' compensation claims management. By understanding the psychological impacts of the claims process, minimizing delays, building trust, and integrating holistic support, claims professionals can significantly improve outcomes for injured workers.

Learning Objectives

1. Understand the principle of "Do No Harm" and its application in workers' compensation claims management.
2. Learn about the psychological and emotional impacts of the claims process on injured workers.
3. Recognize the importance of minimizing legal and procedural delays in the recovery process.
4. Develop strategies to enhance communication and trust between claims professionals and injured workers.
5. Identify best practices for integrating medical, psychological, and social support to facilitate recovery and return to work.

Primary Takeaways

1. Principle of "Do No Harm": Applying the medical principle of "Do No Harm" to claims management can improve outcomes for injured workers.
2. Psychological Impact: Repetition and delays in the claims process can create negative psychological patterns, hindering recovery.
3. Minimizing Delays: Reducing procedural delays and unnecessary litigation tactics can prevent additional stress and prolongation of disability.
4. Building Trust: Establishing trust through clear communication and supportive practices is essential for effective claims management.
5. Holistic Support: Integrating medical, psychological, and social support systems can significantly enhance the recovery and return-to-work process.

Course Outline

- 1) Introduction to the Principle of "Do No Harm"
 - a) Definition and Origins
 - i) Hippocratic Oath
 - ii) Application in Claims Management
 - b) Relevance to Workers' Compensation
 - i) Impact on Recovery

- ii) Legal and Ethical Considerations
- 2) Psychological and Emotional Impacts
 - a) Effects of Repetition and Delays
 - i) Neural Networks and Habit Formation
 - ii) Emotional Distress and Anxiety
 - b) Case Studies and Examples
 - i) Navajo Nation's Low-Litigation Model
 - ii) Impact of Legal Involvement on Outcomes
- 3) Importance of Minimizing Delays
 - a) Procedural Efficiency
 - i) Streamlining Claims Processing
 - ii) Avoiding Unnecessary Litigation Tactics
 - b) Benefits of Prompt Resolution
 - i) Faster Recovery
 - ii) Reduced Costs and Improved Outcomes
- 4) Building Trust and Enhancing Communication
 - a) Role of Communication
 - i) Clear and Consistent Messaging
 - ii) Addressing Worker Concerns
 - b) Strategies for Trust-Building
 - i) Transparency and Honesty
 - ii) Empathy and Support
- 5) Integrating Holistic Support
 - a) Medical Support
 - i) Access to Quality Care
 - ii) Coordination with Healthcare Providers
 - b) Psychological and Social Support
 - i) Addressing Mental Health
 - ii) Providing Social Resources
 - c) Practical Implementation
 - i) Examples from Best Practices
 - ii) Recommendations for Claims Professionals
- 6) Conclusion
 - a) Recap of Key Points
 - i) "Do No Harm" Principle
 - ii) Psychological and Emotional Considerations

- iii) Importance of Efficiency and Trust
- iv) Holistic Support Systems
- b) Final Thoughts and Future Directions

NOTE: Artificial Intelligence was used in the creation of this document.