

# SHEA helps hospitals navigate legal aspects of antibiotic stewardship programs

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The Society for Healthcare Epidemiology of America today released a white paper outlining strategies for documenting the recommendations of antibiotic stewardship programs (ASP) and clarifying the stewardship team's role in patient care from a legal and quality improvement standpoint. The white paper, titled "Legal Implications of Antibiotic Stewardship Programs," was published in the journal, *Infection Control and Hospital Epidemiology*.

"Antibiotic [stewardship](#) has become a critical tool for healthcare systems to slow the emergence of antibiotic resistant bacteria and to improve patient outcomes and safety," said Keith Hamilton, MD, a member of the SHEA Antimicrobial Stewardship Committee and author of the [white paper](#). "However, it is important to address the legal implications of antibiotic stewardship programs, particularly around concerns about professional liability stewards may have to patients that they do not see or examine with the goal of disseminating [best practices](#) and reinforcing the essential roles that these programs play in all healthcare settings."

The paper provides strategies to address common concerns and perceptions surrounding the legal implications of stewardship programs with the goal of improving the structure and function of the programs, as well as the benefits they provide to patients and [patient care](#).

The guidance, based on expert consensus and a review of case law, addresses documentation, covers clinical training of stewardship program personnel, telestewardship, the use of clinical practice guidelines, and antibiotic stop orders. The authors surveyed SHEA members about concerns around the structure of antibiotic stewardship programs, interventions, and documentation to ensure the guidance reflected realities and concerns from the field.

While there have been no specific lawsuits filed involving ASP, the authors note three important components that should be included in hospitals' programs to reduce liability and further advance the goals of ASP strategies.

1. Protocols to communicate and resolve differences with treating teams or other stakeholders to help achieve agreement on treatment strategy whenever possible.
2. Documentation practices in [electronic health records](#) to provide the basis of recommendations as well as preserve the record of ASP involvement.
3. Standards for credentialing ASP team members based on experience or formal training to ensure team member roles are aligned with expertise, licensure, and scope of practice regulations.

**More information:** George Maliha et al, Legal implications of antibiotic stewardship programs, *Infection Control & Hospital Epidemiology* (2020). [DOI: 10.1017/ice.2020.89](https://doi.org/10.1017/ice.2020.89)

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