In the last 20 years, there has been a sharp increase in the number of lawsuits filed against medical facilities and health care providers. Athletic trainers and therapists, however, have been involved in relatively few cases (Greenberg, 1994). Nonetheless, it is only logical that there will be an increasing number of suits directed at athletic trainers and therapists as the legal system and society become better acquainted with their role, as their numbers increase, as more states regulate them, and as their practice settings become more varied. Courts appear to be most receptive to suits by athletes alleging that a physician or athletic trainer or therapist has improperly treated an athlete's injury (Zygaj, 1999). A review of the literature reveals that hundreds of millions of dollars are spent annually to compensate patients for negligent acts by health care providers. The high costs of such compensation resulting from unsafe or inappropriate conditions have prompted risk managers to adopt various means of promoting safety (Burling & Gallagher, 1992).

Most health care practitioners are subjected to “risky” situations. Athletic trainers and therapists must protect themselves and their employers from potential lawsuits while providing quality care to their patients. Unfortunately, the administrative techniques necessary to do this are oftentimes overlooked and are not adequately or clearly described in the available literature. The purpose of this article is to provide athletic trainers and therapists with a practical definition of risk management, reasons for using it in their practice, and a sample of some of the areas we have identified in our work setting that contain risk and how we manage them.

**Risk Management Defined**

Regardless of work setting, a comprehensive risk-management program, properly executed, will help prevent injuries and ensure that those under your care are treated properly and respectfully. Chances are, those who work in a hospital or university environment have the luxury of consulting a risk-management department. Many athletic trainers and therapists, however, work in high schools or colleges and have little or no contact with a risk manager. Risk management is inherent in everything an athletic trainer or therapist does in providing care. It is defined as clinical and administrative activities that identify, evaluate, and reduce the risk of injury or loss to patients, personnel, visitors, and the facility itself. Although some elements of these activities are evident in athletic training rooms today, they are often not carried out in a systematic, programmatic fashion with goals and objectives.

There are several reasons for implementing a basic risk-management program. The first is to avoid negligence. Negligence is a...
tort—a civil or personal wrong, as distinguished from criminal conduct (Pozgar, 1996). It is the unintentional omission or commission of an act that a reasonably prudent person would or would not commit under given circumstances. It is a form of conduct caused by carelessness that constitutes a departure from the standard of care and results in an injury or damages to another person (Connaughton, Murphey, & Kaminski, 1999). Another reason to use risk management is to avoid potential problems that can lead to some form of loss. A loss is measured not only in monetary forms but also in losing certifications, reputation, and future business dealings. A third reason is that risk management is more than good fiscal policy. In a health care setting it should be considered a means of improving and maintaining quality patient care (Pozgar).

The area of risk management should be viewed first from a humanitarian standpoint and second from the financial standpoint. Athletes must have access to treatment and services as needed and receive treatment that is appropriate, is delivered in a timely manner, and respects their rights. This is important to all those involved in the care of the athlete: athletic trainers and therapists, insurance companies, physicians, clinic managers, school personnel, coaches, and parents.

Components of a Comprehensive Risk-Management Program

There are three elements of a risk-management program: identification, system evaluation, and control.

Identification

The first step in creating or examining an existing program is to identify areas of exposure to risk (Pozgar, 1996) such as unsafe practices or working conditions. For example, athletic training facilities, equipment, supervision, policies, and personnel all carry some degree of risk.

Facility. Facility risks include methods for checking the facility, adequate space, security, supervision of patients, fire extinguishers and alarms, proper ventilation, adequate exits, flooring, patient flow, cleanliness of the area, and who maintains construction and maintenance records. For example, supervisors need to maintain a master list of all equipment, making sure that it is cleaned and inspected on a regular basis and keeping signed documents stating so (Figure 1). Also, make sure that equipment in need of repair is taken out of use immediately, and be familiar with equipment warnings, manufacturers’ instructions, and statutes of the state with reference to facilities and equipment (Figure 2).

Supervision. Supervisors at every level must be actively involved in “looking over” rather than “overlooking” the actions of their subordinates. Failure to properly supervise should be treated as a serious shortcoming. The staff is bound to adhere to the standards of care in which they are trained. For example, having student athletic trainers and therapists provide treatments, especially with ultrasound or any...