

What U.S. Healthcare Will Look Like in 2035

Here are our current predictions for how U.S. healthcare will change over the next 10 years and actionable risk management insights to address the challenges ahead.

PREDICTION 1

Nuclear malpractice verdicts will continue to cause ripple effects that threaten physicians and patients.

RISK MANAGEMENT TIPS

To reduce the possibility of patient injury and a claim leading to a nuclear verdict, review policies and procedures in high-risk areas to ensure they reflect current best practices. Audit practitioner documentation to verify policies and procedures are being followed.

Involve The Doctors Company early for advice on incidents and potential claims to implement patient and family communication and risk mitigation strategies as soon as possible. Early interventions may lead to more positive outcomes.

PREDICTION 2

Healthcare consolidation will continue, but concerns over how consolidation increases costs and cybersecurity risks will push policymakers into further regulation.

Develop a comprehensive cybersecurity response plan to follow if a breach or ransomware compromises patient records or business systems. Train staff on technology backup plans and equipment, such as paper records or offline computer systems. Run simulation drills with staff to identify communication and response gaps and ensure a coordinated effort.

Create processes for patient safety in the event of a cybersecurity incident, such as contingencies for affected equipment, protocols for canceling elective procedures, diversion for emergency care, and patient transfer agreements with other healthcare organizations.

PREDICTION 3

Nurse practitioners, physician assistants, and alternative care models like hospital-at-home programs will be key to alleviating the continuing primary care crisis.

Diagnosis-related errors (failure, delay, wrong) remain the most frequent allegations against NPs and PAs in malpractice claims and are the top causes of patient harm. To reduce diagnostic errors, perform thorough patient assessments, use clinical decision support tools, implement systems to track laboratory and diagnostic tests, and document patient and referral-practitioner communication.

Virtual patient assessments in the hospital-at-home environment may contribute to diagnosis-related errors. Implement best practices to conduct virtual assessments, integrate data from remote monitoring devices, convert a virtual visit into an in-person visit when necessary, and coordinate care for the patient at home. Educate patients on operating reliable telehealth equipment, using remote monitoring devices, and communicating signs and symptoms.

PREDICTION 4

Healthcare will face a two-headed crisis, with patients increasingly mistrusting medical organizations and practitioners losing confidence in the systems meant to support them.

Patient mistrust of healthcare organizations may result in screening and preventive care delays. Use tracking and follow-up systems to reach patients who have missed preventive care opportunities. Open communication and shared decision making may help patients regain trust.

Healthcare professionals will be attracted to healthcare organizations that institutionalize well-being as a long-term value and operationalize interventions to enhance care delivery and advance patient safety—in collaboration with clinicians. Organizations that take purposeful actions to improve work environments, staffing, and healthcare professional control over workloads can prevent burnout and increase confidence in systems.¹ Thoughtful application of AI may reduce practitioner time spent on documentation and other administrative burdens and may help restore trust in healthcare organizations.

Reference: 1. Aiken LH, Lasater KB, Sloane DM, et al. Physician and nurse well-being and preferred interventions to address burnout in hospital practice: factors associated with turnover, outcomes, and patient safety. *JAMA Health Forum*. 2023;4(7):e231809. doi:10.1001/jamahealthforum.2023.1809

PREDICTION 5

Magnified obstetric safety risks post-*Dobbs* will continue to cause physical trauma to patients, inflict moral injury on practitioners, and create maternity care deserts, producing disastrous effects in healthcare for years to come.

RISK MANAGEMENT TIPS

Remain current on relevant state and federal laws involving patient access to care related to reproductive options, and create a list of resources and referrals for unmet needs. Having readily available and meaningful resources for patients can impact individual lives.

Guttmacher's interactive map on state abortion policies and legislation tracker contains pertinent information about current laws and restrictions on access for both providers and patients. Access the map here: <https://www.guttmacher.org/state-policy/explore/state-policies-abortion-bans>

PREDICTION 6

AI clinical decision support tools will bring benefit and risk, but it will take advancements in legislation to clarify who is liable when an AI tool errs.

AI does not possess a medical license; therefore, you must review the AI-provided information and determine the appropriate care for the patient.

Documenting AI results, along with your rationale at the time for agreement or disagreement, will be crucial for defending against liability.

PREDICTION 7

Ambient listening tools to record patient-clinician interactions will face implementation challenges, liability risks, and uncertain outcomes.

For both legal and ethical reasons, disclose the use of ambient listening, be prepared to answer patient inquiries, and provide patients with the option to decline.

An AI scribe is a tool, with the clinician ultimately responsible for its safe and effective application. Therefore, thoroughly reviewing the generated clinical note is imperative to ensure its accuracy and completeness.

PREDICTION 8

Cybersecurity and HIPAA risks will be heightened by the implementation of AI.

Require practitioners, employees, and contractors to undergo annual training on recognizing phishing attempts, conducting secondary validation of suspicious phone calls and voicemails, and the critical importance of safeguarding patient information throughout all levels of the organization.

Evaluate whether the current policies and procedures governing protected health information (PHI) collection, handling, distribution, and use sufficiently address the application of PHI in AI technology.

PREDICTION 9

Retail giants, facing serious setbacks with their healthcare clinics, will shift to partnerships and subscription models.

Practitioners need to ensure follow-up as patients complete ordered laboratory tests, diagnostic studies, and consultations at different locations. Review test results and consultation reports, communicate findings to the patient, and document the plan to close the loop.

Access to care can become a liability issue when delayed treatment leads to complications or worsening of the patient's condition. Healthcare services that can be provided in the same location with extended hours for care, offering telehealth services, or transportation assistance to access care can reduce potential delays.

PREDICTION 10

Life sciences companies' entrance to the direct-to-patient space with medications, devices, and telehealth services will raise liability risks.

Implement a thorough medication reconciliation process for all medications, vitamins, supplements, and over-the-counter drugs that patients are using. Compare the medications reported by the patient with those prescribed to ensure accuracy in drug type, dose, frequency, and route.

Consider social determinants of health when examining discrepancies between prescribed medication and what the patient is taking. These discrepancies may result from economic factors, cultural influences, or a lack of understanding.