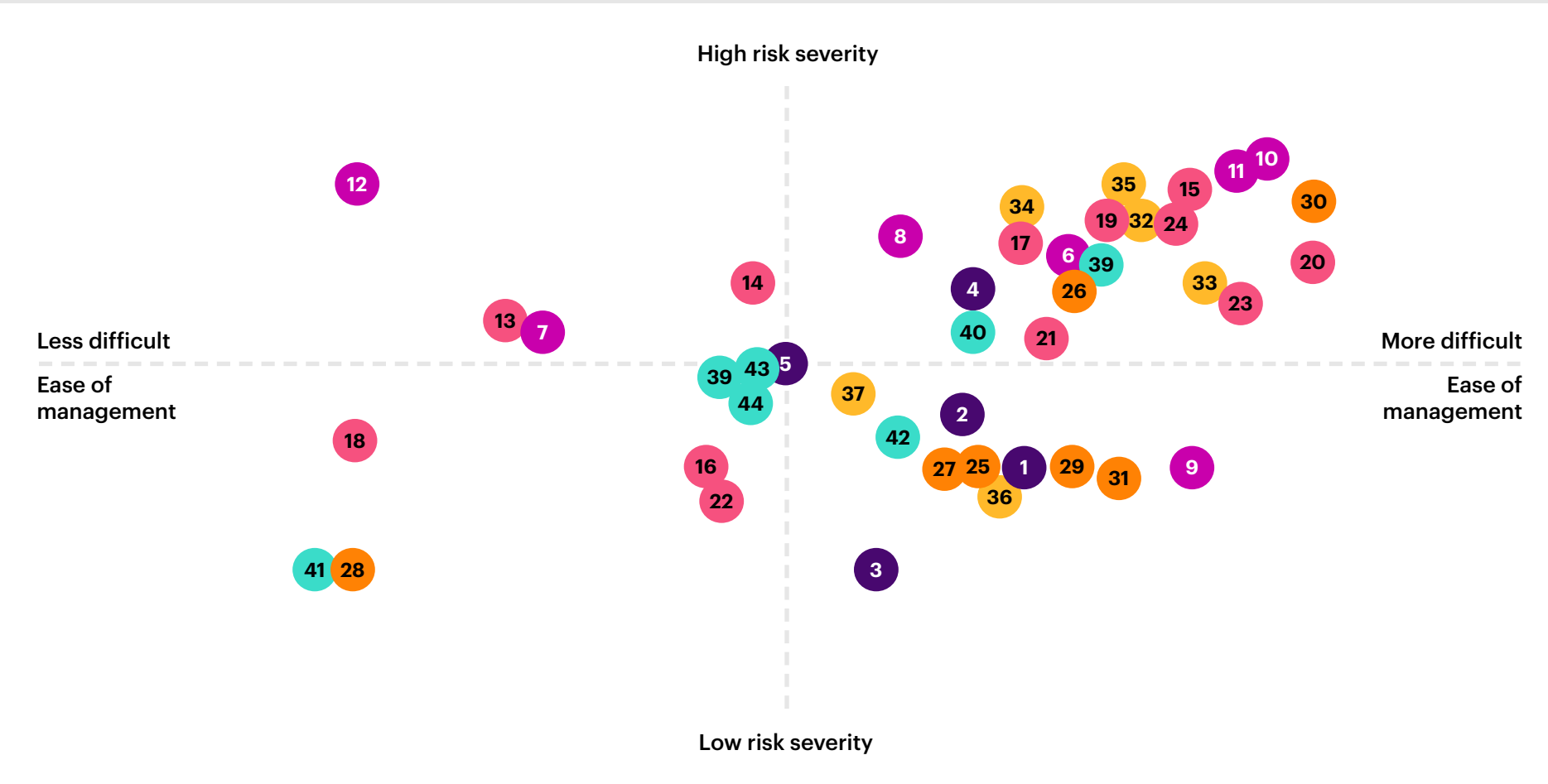


# Behavioral health risk priorities



## Regulatory complexity and enforcement

- 1 Change in or failure to comply with, legal and regulatory requirements (i.e., Stark, FCA, OIG, CMS, anti-kickback, etc.)
- 2 Federal healthcare legislation
- 3 EMTALA — emergency psychiatric care
- 4 Patient flow
- 5 Understanding of mental health code, patient rights and voluntary versus involuntary criteria

## Cyber risk

- 25 Metapixel concerns regarding privacy and/or data breaches
- 26 Breach of confidential or proprietary information/HIPAA compliance and other cyber risks/substance use and mental health data
- 27 System failure, network outage, system security
- 28 Data quality, accessibility and integration
- 29 Digital health data misuse
- 30 Ransomware claims extortionation readiness
- 31 Telehealth strategy — effectiveness, preparedness, utilization

## Tort reform and market challenges

- 6 Medical assisted therapy (MAT)
- 7 Health equity
- 8 Litigation financing and social inflation driving catastrophic claims
- 9 Affluent clientele driving claims concerns
- 10 Property exposure to cat risk
- 11 Availability, pricing and terms of excess limits
- 12 Confidentiality prohibiting response to negative social media

## Global talent and skill race

- 32 Physician alignment, integration and relationships
- 33 Employee mental health: engagement, burn-out, morale, accountability, culture
- 34 Workplace violence including active assailant, homicide and aggression
- 35 Provider shortage
- 36 Provider insurance naïve, lack of knowledge and understanding
- 37 Provider and frontline pipeline

## Innovative business models

- 39 Environment of care requires specific design
- 40 Shift to integrated care
- 41 ESG – Environment, social and governance

## Financial risk

- 13 Concerns around acquisition — operational issues and managerial competencies
- 14 Loss of, or decrease in reimbursements
- 15 Catastrophic patient injury, widespread negative outcomes or systemic quality issues
- 16 Patient satisfaction, readmission, patient complaints and performance scores
- 17 Sexual abuse and molestation
- 18 Insufficient access to or increasing cost of capital
- 19 Unsafe or premature discharge resulting in community violence
- 20 Elopement with problematic outcome death
- 21 Economic downturn, slowdown of consolidations and M&A
- 22 Supply chain risks — supplier diversity, costs, volatility
- 23 Failure to monitor — suicide, elopement, safety
- 24 Professional liability capacity shortage, rate increases and underwriting scrutiny

- 42 Risk from expansion into new venues
- 43 M&A and third party partnerships
- 44 Wellness apps, wearables and digital therapeutics

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**Source**  
The information and data contained in this publication comes from a variety of sources including a review of closed claims data, anecdotal information from interviews, peer-reviewed research, various risk management third-party resources such as, but not limited to, [ECRI](#) and [American Society of Healthcare Risk Management \(ASHRM\)](#), discussions with various healthcare underwriters, OSHA regulations and garnered from general industry and professional knowledge and experience from associates in the WTW healthcare and life science industry vertical team.

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