

April 15, 2008

Definition of Serious Disability

In considering whether or not an event outcome meets the definition of a "serious disability," the organization's clinical team of experts needs to determine the answer to each of the elements outlined in the law:

- 1) Was there a physical or mental impairment that substantially limited one or more major life activities for the individual that lasted more than seven days or was still present at the time of discharge from an inpatient health care facility?
- 2) Was there a loss of bodily function that lasted more than seven days or was still present at the time of discharge from an inpatient health care facility?
- 3) Was there a loss of body part?

If the organization's clinical team answers "Yes" to any of these three questions, the outcome would be considered a "serious disability."

Additional Guidance

Inclusions	Exclusions
1. Bone fractures except as listed in exclusions.	1. Minor fractures, e.g. finger, thumb, toes, nose, ribs, wrist, hairline fractures (unless these fractures substantially limit one or more major life activities such as those listed in Inclusion #5 or require major intervention such as listed in Inclusion #3).
2. Head injuries with intracranial bleeding	2. Minor lacerations
Injuries requiring major intervention, e.g. -Surgical intervention in the OR -Burns needing debridement/skin grafts -Higher level of care, for care related to the event, for more than 48 hours, e.g. transfer to critical care unit.	3. Additional monitoring without meeting criteria for higher level of care
Loss of body part	
Loss, or substantial limitation of, bodily function lasting greater than 7 days, e.g. Bodily functions related to: breathing; dressing/undressing; drinking; eating; eliminating waste products; getting into or out of bed, chair, etc; hearing; seeing; sitting; sleeping; or walking.	

- Note: Inclusion criteria trump exclusion criteria
- Yes to any of the inclusion criteria qualifies that outcome as a serious disability.