

COLLABORATIVE PRACTICE IN THE HEALTHCARE INDUSTRY



Relationships between patients and healthcare providers may become strained when there are unexpected outcomes. Fearful, emotional patients and families often run up against “a wall of silence” when they ask what happened and why. Doctors grieve too; those who want to explain and offer sympathy and an apology are usually told to say nothing by their malpractice carriers and lawyers. When patients don't get the answers they want and deserve, they become angry and suspicious. They think they have no choice but to file a lawsuit. However, expensive, lengthy, and often damaging litigation is not the only way of resolving disputes. Parties in healthcare disputes can utilize Collaborative Practice, an efficient, viable option to a the traditional adversarial, cumbersome court process over which parties have little control.

What matters most to parties in healthcare disputes is satisfying a patient's need for resolution sooner, minimizing the healthcare provider's costs of resolution, achieving positive changes in policy or procedure through negotiation and maintaining integrity in the medical community. Insurance companies also benefit through reduced costs of settling legitimate cases earlier rather than at trial or in mediation on the eve of trial, after the attorneys' fees and expenses have already been incurred. It may be attractive to doctors and hospitals with innovative premium incentives to use Collaborative Practice as the first alternative, before turning to litigation.

Collaborative Practice offers the parties to a healthcare conflict a process that is designed to be less expensive, faster, less taxing on resources and more mindful of preserving relationships than litigation. Collaborative Practice by design focuses immediately on resolution through negotiation; on meeting the real interests and needs of the parties. This is different from litigation, an adversarial, positional process which is designed to prepare for resolution by trial.

Every minute and every part of the Collaborative process is spent on reaching settlement and resolution. Collaborative Practice brings the disputing parties to the table where, with the assistance and advocacy of their collaborative lawyers, clients take an active role in negotiation, problem-solving and creating their own solutions. The resulting agreements are tailored to meet the business needs of the parties involved.

Further, because it is not adversarial in nature, Collaborative Practice utilizes resources more effectively. Rather than each party having to hire its own experts, the Collaborative process is designed for the parties to use independent and neutral experts whose purpose is to become professional resources who serve the needs of both parties as well as the process of resolution.

Now you have a choice. Collaborative Practice can be effectively utilized in healthcare disputes involving patients and their families, vendors, insurance companies, other medical professionals and other healthcare-related conflicts.

www.collaborativepractice.com

International Academy of Collaborative Professionals