

Advancing the CRP Field with the CAI Attorney Alliance

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Today's speakers



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Disclosures

- Michael Severyn reports no financial conflicts of interest relevant to this presentation
- Kyle Sweet reports no financial conflicts of interest relevant to this presentation
- Richard Boothman has a direct financial interest in the subject of this talk. In addition to his adjunct faculty position at the University of Michigan Medical School and Visiting Scholar appointment at Vanderbilt, he is the owner and principal of Boothman Consulting Group, LLC which is under contract with hospital systems to assist in their exploration and possible transition to a principled approach to patients harmed by their medical care (which is the subject of this talk). He also frequently serves as a mediator, facilitator and arbitrator.

Learning objectives

1

Describe the role of attorneys who counsel and represent healthcare systems, healthcare providers, insurers, and patients and families in the CRP process

2

Examine how the traditional role of an attorney following an unplanned clinical outcome might need to shift to better serve client's interests and everyone involved in healthcare

3

Learn about the goals, work stream, future opportunities, and ways to get involved with the Attorney Alliance

Setting the context for the Alliance



CRPs are a model for supporting everyone involved in healthcare including patients, caregivers, healthcare organizations, academic institutions and insurance companies



Lawyers' traditional focus, primarily on short term risk and gain, has been increasingly challenged as counterproductive to clients' core interests



It is time to challenge status quo and create a new process that allows lawyers to deliver on ethical obligations to clients

The CAI Attorney Alliance: Enhancing Legal Representation with CRPs

Our purpose and goals



To form an association of lawyers interested in leveraging the **foundational values of CRP to advance their clients' interests** as they engage or represent healthcare or train the next generation of those lawyers



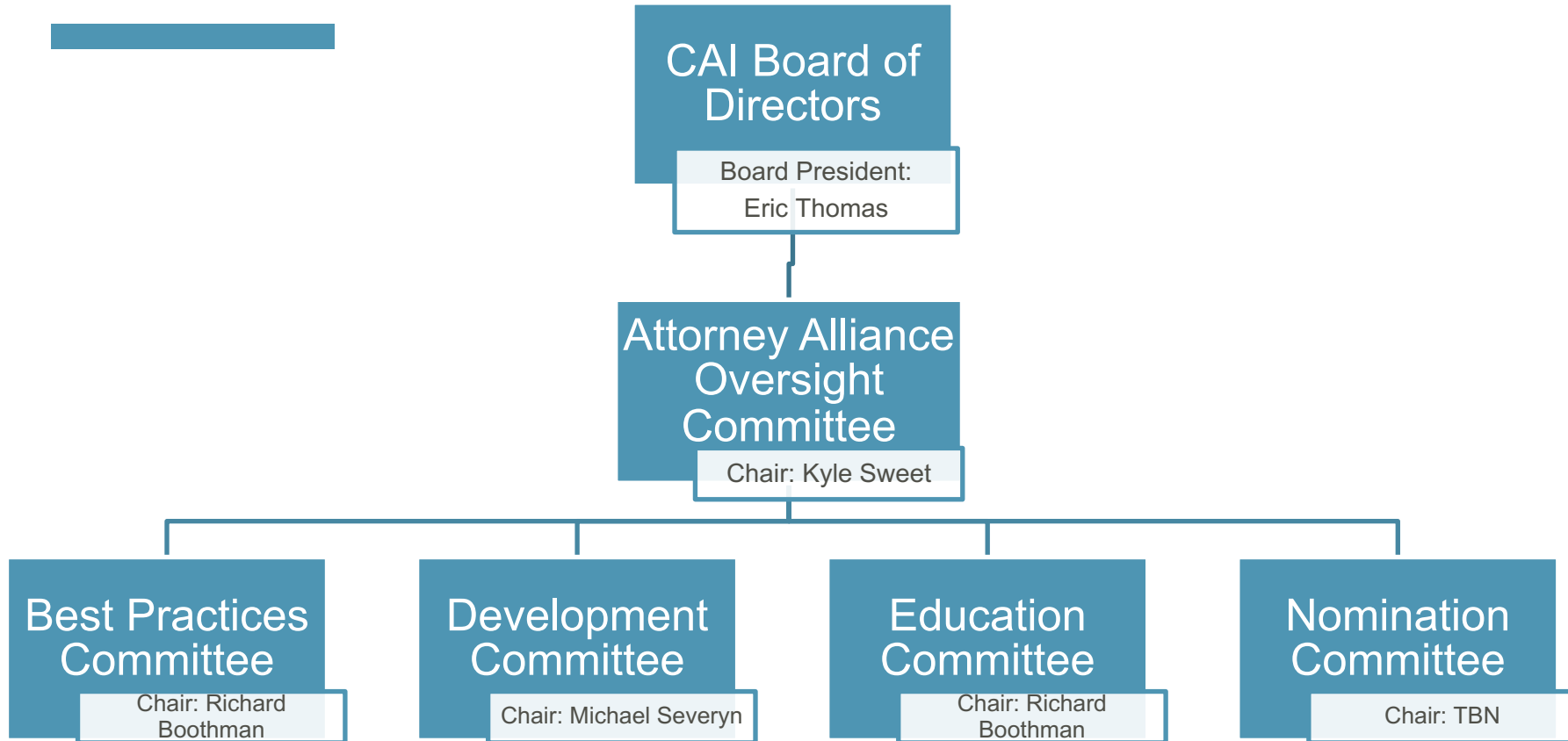
To serve as a resource for attorneys who value CRPs as they engage or support the healthcare profession in myriad ways including **patient relations, patient engagement, patient safety, corporate structures, clinical culture and leadership**

Our objectives



- Help lawyers fulfill ethical obligations through CRPs
- Identify and disseminate best practices and safety lessons
- Explore compensation models for both patients and attorneys
- Develop professional certification program
- Provide CRP training for attorneys, arbitrators, facilitators, mediators, guardians, and academics
- Provide CRP education to members of the judiciary
- Develop lists of attorneys, arbitrators, mediators, and facilitators committed to CRPs
- Explore law schools interested in offering training and education in the value of CRPs
- Community building
- Scholarship
- Advocacy
- Value for participants
- Financial sustainability

Our structure



The Opportunity for All Types of Attorneys to Drive the CRP Field

Plaintiff Attorneys

- Background
 - CRPs are here to stay
 - 100% transparency goals on unplanned clinical events
 - Attorney responsibilities and duties (ABA Model Rules of Professional Conduct)
- As a patient attorney you should be well versed in CRPs

Defense Attorneys

- ▣ Background
 - CRPs are here to stay
 - 100% transparency goals on unplanned clinical events
 - Attorney responsibilities and duties (ABA Model Rules of Professional Conduct)
- ▣ As a defense attorney you should be well versed in CRPs

Insurance Company Counsel

- Background
 - CRPs are here to stay
 - 100% transparency goals on unplanned clinical events
 - Attorney responsibilities and duties (ABA Model Rules of Professional Conduct)
- As in house counsel for insurance companies who insure health systems and healthcare providers you should be well versed in CRPs

Academics

- With proven durability and rising adoption, CRP education is essential to today's legal education
- CRP experience challenges traditional notions of lawyers' roles
- Research and publishing opportunities abound

Health- Law Attorneys

- Innovative peer review, patient safety practices, and corporate structures
- Prompt new look at regulatory and statutory norms
- Redirect human resources practices to more directly serve the clinical mission

Mediators/ Arbitrators

- Multiple paradigms shift from traditional “shuttle diplomacy”
 - Encouraging party interaction
 - Greater attention to emotional healing
 - Infusion of principled liability focus
 - Shift in damage evaluation
- Pre-litigation mediation opportunities and a new role for the mediator
- Arbitration per CRP principles is different

The Future of Health Law and Litigation

Improving Healthcare for All

- ❑ Attorneys and the Alliance need to be leaders
- ❑ Now more than ever patients, healthcare providers need our leadership to help improve healthcare
- ❑ Have we really served our clients' interests? CRP invites reevaluation of our role
- ❑ Focusing on “mission critical”
- ❑ Moving from micro to macrocosm

Opportunities to get involved

1

Financial support

2

Join one of our growing committees

3

Host a continuing education presentation

4

Introduce your clients or attorneys to the CRP process and share resources

5

Contact thecai@uw.edu to learn more

Thank you
