

Alternative Dispute Resolution

Presented by:

The Florida Professional Liability Self-Insurance Programs

Disclosure Statement: The Florida Professional Liability Self-Insurance Program has disclosed that they have no relevant financial relationships. No one else in a position to control content has any financial relationships to disclose.

Requirements for Successful Completion:

This CME activity consists of an educational component (slides, audio/online lecture) which is followed by an online post-test. Certificates are awarded upon successful completion (80% proficiency) of the post-test. In order to receive credit, participants must view the presentation in its entirety.

Release Date: 07/01/2019

Expiration Date: 06/30/2021

Target Audience: Physicians, Specialty Physicians, Physician Assistants, and Residents.

Learning Objectives: As a result of the participation in this activity, participants should be able to:

1. Cite the various forms of informal and formal alternative dispute resolutions used in health care setting.
2. Define the methods utilized for each type of alternative dispute resolution.
3. Apply the fundamental principles of informal dispute resolution.
4. Recognize the basics of disclosure and apology law in Florida.
5. Distinguish voluntary mediation from mandatory mediation.
6. Summarize the arbitration process.

CME Advisory Committee Disclosure:

Conflict of interest information for the CME Advisory Committee members can be found on the following website: <https://cme.ufl.edu/disclosure/>.

Accreditation: The University of Florida College of Medicine is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Credit: The University of Florida College of Medicine designates this enduring material for a maximum of 1 AMA PRA Category 1 Credit™. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

Contact: If you have any questions please feel free to contact SIPHELP at (352) 273-7006 or at SIPHELP@ad.ufl.edu.

Bibliographic Sources:

1. "Mediation Authority" New Amendment to Rule 1.720 (b) Florida Liability Claims Conference 2012
2. Nassif v. Shedden, 983 So. 2d 33 (FL 2d DCA 2008)
3. Goldberg v. Simpson, 49 So. 3d, 1280 (FL 4th DCA 2010)
4. http://www.maa-md.com/documents/Florida_Fourth_DCA_Upholds_KMAA_Press_Announcement.pdf
5. Ford, Richard and Coward, Chip: "Handling a Difficult Patient". 2012 Wicker Smith Claims Seminar June 8, 2012
6. Huntington, Beth, BSN, MSN, JD and Kuhn, Nettie, RN, BSPA, CPHRM: Communication gaffes: a root cause of malpractice claims. Baylor University Medical Center Proceedings April 2003
7. Gesensway, Deborah: You're Fired! (by your patient, not your group) When patients or families give you the sack. Today's Hospital January 2012
8. "Listen, Doc, let me tell you..." Why good listening skills are essential. Resident Assistance Program Newsletter December 2007

9. An “Epidemic” of Medical Malpractice? A Commentary of the Harvard Practice Study. The Doctors Company

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10. Florida Statutes § 395.1050

11. Florida Statutes § 456.0575

12. Florida Statutes § 44.1011-406

13. Florida R. C. P. 1.700