



## *Bibliography*

The Fall 2007 Biennial Symposium on Conflict Resolution:  
An Intentional Conversation About Conflict Resolution in Health Care  
November 8-10, 2007 Saint Paul, Minnesota

This document is a work in progress. Please email your suggestions for additions to Sukhsimranjit Singh, DRI Postgraduate Fellow [ssingh01@hamline.edu](mailto:ssingh01@hamline.edu). No claim is made that this is a comprehensive catalogue of resources; rather this bibliography has been intentionally tied to the anticipated themes of the Symposium. We hope the bibliography will be helpful for all those participating, as well as for those with general interest in the field.

### **Bibliography Contents:**

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### **PART ONE: SYMPOSIUM THEME**

The American health care system affects every man, woman and child in our country. It encompasses over 15% of our Gross Domestic Product. Costs of care continue to rise and insurance premiums routinely increase at double-digit rates. Regulators and health care managers impose policies that affect medical decisions and access to treatment.

Advertising and internet research drive patient medical requests while the threat of malpractice claims impacts physician judgment and decision-making. Ultimately, fewer Americans can afford the high price of health and many feel disengaged from crucial health and life decisions.

At the same time, we hold onto important myths about our system: that doctors and patients are still in charge of our medical decisions; that the American system promotes egalitarian principles of fairness and open access to the finest care in the world; that individual citizens have real choices about the management of their health. This intractable clash between myth and reality has consumed policy-makers and fueled conflict at many levels for years.

This clash between myth and reality is even more complex in light of our rapidly changing society. Health care decisions are influenced by different and competing value systems: an increasingly diverse and aging population of patients; a growing universe of traditional and non-traditional health care providers; the ever-expanding role of third-party payors; suppliers promoting rapidly changing technologies and marketing directly to patients; policy-makers who promote increasingly divided ideologies and regulators caught in the middle. The result is an overwhelmingly complex set of challenges that provoke conflict at all levels.

How do we move forward? How can professionals from the conflict resolution field be constructive partners with health care professionals in working through these many difficult and complex conflicts? The 2007 Symposium on Advanced Issues in Dispute Resolution addresses these two questions.

Recognizing that the system cannot be easily “fixed” or the problem “solved,” the 2007 Symposium will specifically focus on how health care professionals and conflict resolvers can work together to identify essential guiding principles for addressing conflicts across the health care field. The Symposium will bring nationally recognized representatives of patients, health care providers, payors and regulators together with experienced conflict resolution professionals to identify and articulate a key set of principles for responsible decision-making in health care conflicts.

## **PART TWO: BOOKS**

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John J. Fraser Jr, American Academy of Pediatrics: Technical Report: Alternative  
Dispute Resolution in Medical Malpractice  
<http://aappolicy.aappublications.org/cgi/content/full/pediatrics;107/3/602>

## **PART FOUR: WEB RESOURCES:**

### **Health Care Conflict Resolution Databases**

Alternate Dispute Resolution, South Carolina Bar (Mandatory Medical Malpractice  
Mediation) (<http://www.sctbar.org/member/adr/default.asp#Mandatory>)

AMA, Commission on Health Care Dispute Resolution Process,  
(<http://www.ama-assn.org/ama/pub/category/6074.html>)

Atkins Mediation Services, Health ADR Articles,  
(<http://www.mediate.com/Atkins/pg244.cfm>)

Center for Law, Health and Society, Georgia State University  
(<http://law.gsu.edu/clhs/news/view.php?id=87>)

Health Care Resolutions (<http://www.healthcareresolutions.com/about.php>)

National Arbitration Forum  
(<http://www.adrforum.com/main.aspx?itemID=301&hideBar=False&navID=82&news=3>)

National Library of Medicine and National Institute of Health  
(<http://www.pubmed.gov>.)

### **ADR and Health Care Organizations.**

American Health Lawyers Association ([www.AHLA.org](http://www.AHLA.org))  
Professional association for health lawyers (maintains a panel of mediators and  
arbitrators with health law background).

Health Care Mediations, Inc. ([www.Healthcaremediations.com](http://www.Healthcaremediations.com))  
Mediation, training and system design services for health care organizations.

Health Care Negotiation Associates ([www.HCNA.net](http://www.HCNA.net))  
Providing negotiation and consulting services for health care organizations.

The Mediation Group ([www.themediationgroup.org](http://www.themediationgroup.org))  
Providing ADR services in multiple content areas including healthcare.

### **Health Care Organizations**

- [National Patient Safety Foundation](#)  
National association dedicated to improving patient safety within the nation's health care facilities.
- [American Medical Association](#)  
Professional association for physicians.
- [American Hospital Association](#)  
Professional association for hospitals and other health care facilities.
- [American Nurses Association](#)  
National nursing association.
- [American College of Healthcare Executives](#)  
Professional association for health care executives and managers.
- [American Medical Group Association](#)  
Professional association for medical group practice managers and physicians.
- [Joint Commission of Accreditation of Healthcare Organizations](#)  
National accreditation association for hospitals.
- [American Society for Healthcare Human Resources Administration](#)  
Organization for professionals in health care human resources administration and management.
- [American College of Physician Executives](#)  
Professional organization for physician executives and managers.
- [American Organization of Nurse Executives](#)  
National association for nurse executives and nurse managers.
- [National Information Center for Health Services Administration](#)  
Center for research and information related to health services administration.

### **PART FIVE: PRIOR SYMPOSIA/THEMED PUBLICATIONS**

#### **Volume 21 Georgia State University Law Review.**

The Next Generation of ADR and Conflict Management in Health Care Settings:  
New Challenges, New Approaches (February, 2005)

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Health Care Changes: New Battlegrounds for Conflict Resolution

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Nancy Neveloff Dubler, *Heroic Care Cases: When Difficult Decisions About Care Are Near, Mediation can help bridge communication Gap*, 5 No. 3 Disp. Resol. Mag. 7 (1999)

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**PART SIX: HEALTH CARE/CONFLICT RESOLUTION PRESENTATIONS**

**2006 ABA ADR Section Meeting (Georgia, April 5-8, 2006)**

*Life in the Fast Lane: Recent Healthcare Developments and the Role of ADR. ADR on my Mind in Georgia*, April 5-8, 2006, Conference Materials, D 5 (2006). Presenters: Dale Hetzler, Barbara Mahon Riley, Richard Vincent, R. Page Powell, William Boling and Anley Boyd Barton

*Mediation and Malpractice*, ADR on my Mind in Georgia, April 5-8, 2006, Conference Materials, A 13(2006). Presenter(s): Robert Badgley.

*Mediating Death and Profound Injury Cases*, ADR on my Mind in Georgia, April 5-8, 2006, Conference Materials. A 12. (2006). Presenters: Robert Creo, Michelle Obradovic, Jerome F. Weiss, Wendy Hawbaker and Rita Maimbourg

**2006 ACR Annual Conference (Philadelphia, October 25-28, 2006)**

*Borderlines and Narcissists: 7 Skills for Dispute Resolvers*. Presenter: William Eddy

*And the Winners are...The Patients and the Physicians: An In-depth Look at Health Care Mediation*, Session 3.01. Presenter(s): Colette Knisely, Jane Ruddell, Pat Shanahan, Jetta Todaro.

*Coping with Loss, Retribution and Closure in Mediation*, Session 3.05. Presenter(s): Mark Welfe and Craig Lichtman.

*Resolving Medicare Beneficiary Complaints: Collaborative Complaint Resolution Program Pilot Project*, Session 4.04. Presenter(s): Cheryl Cook and Gregory Firestone

*Why Mediation Works in Health Care Disputes: Lessons Learned from the Drexel University College of Medicine's Medical Malpractice Mediation Program*. Sessions 5.04. Presenter(s): Carl (Tobley) Oxholm III, Deborah Lorber, Joseph Ricchiuti, Beth Persun.

*The Advocate's Perspective in Mediation of Medical Malpractice Claims: A Dialogue with Counsel and Risk Managers Representing Claimants and Health Care Providers*, Session 6.06. Presenter(s): Robert Creo, Donald Camhi, Shanin Specter, Carol Shepherd.

*Annual Brainfest: Health Care Ethics Dialogue*, Session 8.07. Presenter(s): Betsy Johnson, David Joseph and Jetta Todaro.