

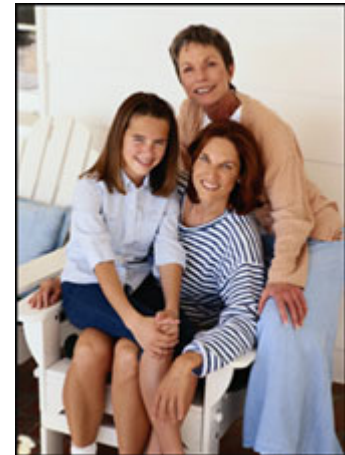
Even though it is unlikely that your Arbitration agreement will ever be needed, it's nice to know there is a better alternative to resolving differences and assisting someone who may be harmed by a medical mistake.



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ARBITRATION



A Better Way

Medicine Isn't Perfect

The technological advances in the practice of medicine in recent years seems almost miraculous. Your doctor can treat and even cure conditions and illnesses which, just a few decades ago, were considered fatal.

But even with all the marvels of modern medicine at your doctor's command, medicine is still as much an art as a science. It is still practiced by human doctors who, although committed to your best care, cannot guarantee total success or satisfaction.

What If My Doctor Makes A Mistake?

Despite the efforts of the entire health care system to identify and prevent medical errors, they can occur. Happily, most are caught and corrected soon enough to prevent any real harm to the patient.

Nonetheless, what can a patient do if a physician's care results in harm? What if you cannot agree on who is responsible or on an appropriate settlement?

Patient Options

The only option used to be a costly, lengthy, and polarizing lawsuit. Now, there is another option; one less costly, much quicker, and friendlier than taking

your doctor to court. It's called Arbitration. With this option, instead of having a claim heard by a judge or jury, the facts are heard by a panel of three arbitrators who make a legally binding decision. Where do these panelists come from? You choose one, your doctor chooses one, and the third arbitrator is chosen by both you and your doctor. In the event an agreement cannot be met, the third arbitrator will be selected by the other two arbitrators from a list of persons approved as arbitrators for the State and Federal Courts in Utah.

How are the costs allocated? You pay the cost of your arbitrator, the doctor pays for his or her arbitrator, and you and the doctor share the cost of the third arbitrator equally. If you like, you may have an attorney assist you at any point during the Arbitration process.

By choosing Arbitration, you also are given the right to require Mediation. Mediation occurs before Arbitration. Mediation is a process by which a neutral person tries to help the parties reach a mutually agreeable resolution of the conflict. The cost of Mediation will be shared equally.

You have the right to decline to enter into the agreement and still receive health care.

The Benefits of Arbitration

Time: A medical liability lawsuit is often measured in years by the time it is resolved in court. Most Arbitration settlements can be completed in a matter of months. When you and your doctor agree to set a hearing, it can be scheduled without waiting for time in our clogged court system.

Money: Your right to recover damages is not limited by Arbitration. An award in Arbitration can be just as much as in a court trial. Additionally, you will retain a greater portion of an Arbitration award in your favor. In court, legal expenses will usually eat up anywhere from one third to one half of any award you may win.

Privacy: Your sensitive medical records and information are kept private in an Arbitration proceeding rather than paraded in public during a court trial.

What Else Should I Know?

Your doctor is recommending Arbitration as a better way to settle a dispute which may arise during the course of your care.

After reading the Arbitration agreement, feel free to discuss any aspect of it with your doctor so that all claims will be decided by Arbitration rather than by a judge or jury. The Arbitration agreement is renewed every year unless you or your doctor cancel it in writing. You also have the right to rescind the agreement within ten days of signing the agreement.

Even though it is unlikely that your Arbitration agreement will ever be needed, it's nice to know there is a better alternative to resolving any differences.