

## 2015 FORUM Save the Date!

The 3rd Annual CARE Forum, hosted by MACRMI will be held on:

**May 19, 2015**

at

The Massachusetts  
Medical Society  
Waltham, MA

Highlights of this year's event will include:

1. An moderated patient-provider panel
2. A panel of risk managers discussing what CARE looks like day-to-day
3. An update on MACRMI's progress over the last year including new resources

Mark your calendars now! We will be sending a registration link in the next few weeks to all of our newsletter subscribers.

*Not a subscriber?*  
Click [here](#) to sign up.

The screenshot shows the MACRMI website interface. At the top, there is a navigation bar with links for Home, About, For Patients, For Providers, Resource Library, Blog & News, and Connect. A 'USER LOGIN' button is also visible. Below the navigation bar, there is a section titled 'For Attorneys' with a sub-header 'FAQs'. The FAQs list several questions, each with a dropdown arrow indicating they can be expanded. To the right of the FAQs is an image of a pair of glasses resting on a document. Below the image is a 'Useful Resources' section with a sub-header 'Best Practices'. This section contains text about the MBA and MACRMI partnership and provides links to download resources for attorneys representing patients and healthcare providers. At the bottom of the screenshot, there is a small note about a report prepared for MACRMI by the Harvard Negotiation and Mediation Clinical Program.

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## MACRMI and MBA host CARE Seminar

This January, MACRMI and the MBA (Massachusetts Bar Association) co-sponsored an interactive forum at the MBA to educate attorneys on MACRMI's mission and the CARE approach. The moderated forum provided an opportunity for attorneys to get information about how the CARE program works in Massachusetts, hear from attorneys that have participated in the process, understand the benefits of the program for attorneys and their clients, and have their questions answered by a panel of experts on the topic. Attorneys from across Massachusetts attended the event, and it proved to be a resounding success.

The evening began with **Dr. Alan Woodward**, presenting the background and accomplishments of MACRMI. Next, **Dr. Kenneth Sands**, provided a history of the program and the current results of its implementation at the pilot sites in Massachusetts. Dr. Sands revealed many facts and data with regard to the impact of the CARE program on resolving cases early, and the progress that has yet to be made. A panel of both plaintiff and defense attorneys followed. It was led by a successful plaintiff's attorney from Michigan, **George Googasian**, who spoke of the benefits of a well-known Disclosure, Apology and Offer (DA&O) program in at the University of Michigan. He shared examples of recent cases resolved using the CARE-like approach and convincingly dispelled notions that such programs are a "wolf in sheep's clothing" or an attempt to short-change patients by offering them money at the early stages of their injury when they are most vulnerable. **Jeffrey Catalano**, a plaintiff's attorney and MBA representative on MACRMI's committee, emphasized the necessity of such programs to improve patient safety efforts. In particular, how CARE encourages healthcare providers to disclose errors and learn from their medical mistakes. Defense attorney, **Kevin Giordano**, discussed the importance of having the defense bar buy in to this program. He encouraged plaintiff's attorneys to also be open-minded to resolving these cases collaboratively, fairly, and expeditiously because it is the right thing to do. Finally, patient advocate and Executive Director of Medically Induced Trauma Support Services (MITSS), **Linda Kenney**, spoke of the importance of appreciating both the healthcare provider's and patient's emotions when a patient is harmed from an adverse event, and the need for early healing for both parties, which the CARE program facilitates.

Throughout the program, the importance of attorney representation was emphasized to help facilitate a fair resolution. The evening concluded with a fruitful Q&A session and a reception, in which a number of questions were addressed, such as how the process affects the National Practitioner Data Bank reporting requirements, and what criteria is being proposed to qualify as an attorney with expertise in the CARE approach.

Overall, the forum was universally well received, as evidenced by written and verbal comments following the presentations. Everyone was very interested in the program and invested in future efforts to make it work. As the first phase of an effort to solicit the collaboration of all attorneys, it was a tremendous success. The webcast can be viewed anytime through MBA On-Demand. Please click [here](#) to register and view it. We hope it will serve as a great resource for attorneys interested in becoming knowledgeable about the CARE program.





## Atrius Health Joins MACRMI as a CARE Pilot Site

[Atrius Health](#), a nonprofit alliance based in Newton, Massachusetts, is a new member of MACRMI, and has officially become a pilot site. The Atrius Health multi-specialty medical groups - Dedham Medical Associates, Granite Medical Group, Harvard Vanguard Medical Associates and VNA Care Network & Hospice – employ over 750 physicians serving 675,000 patients across Eastern Massachusetts.

### Highlighted Resource: Implementation Guide

MACRMI has developed an implementation guide to help institutions interested in implementing the CARE approach but aren't sure where to start. This is an interactive guide that links MACRMI resources with a step-by-step process for developing a program.

To view and download a copy, please visit our resource library [here](#).

### Follow us:



### New Section on MACRMI Website: “For Attorneys”

The MACRMI website is yet another channel for attorneys to gather information about the CARE Program. The new section – “For Attorneys” - is similar to those for patients and providers, with FAQs and testimonials, as well as resources. Click [here](#) check it out!

### New Resources: Best Practices for Attorneys

MACRMI and the MBA have partnered to develop Best Practices for attorneys representing patients and healthcare providers using the CARE approach. These Best Practices were developed based on the report that the Harvard Negotiation and Mediation Clinical Program prepared for MACRMI last May addressing how patients should be represented when they participate in a CARE-type program. Click [here](#) to view and download these from our website.

### MACRMI in the News:

MACRMI has been successful at reaching out to the legal community and educating them on the CARE approach. An piece about MACRMI and the CARE forum will be featured in the March 2015 issue of the Massachusetts Lawyers Journal. Meanwhile, a story - [“Two-years in Med-Mal Reforms Show Promise”](#) - was published in Massachusetts Lawyers Weekly in early March. The author quoted CARE panelist members from the forum at the MBA, as well as other prominent med-mal attorneys familiar with the CARE approach.

The November 2014 issue of *JAMA* (Journal of the American Medical Association) has two articles that discuss the current medical liability climate, the need for reform, and some of the benefits of the CARE-type approach. MACRMI members, Michelle Mello and Allen Kachalia, contributed to the article entitled [“The Medical Liability Climate and Prospects for Reform.”](#) The second article, Medical Malpractice Reform: When is it About Money? When is it About Time is an Op-Ed by William Sage, M.D., J.D., and can be read [here](#).

In January, *Kaiser Health News* published a piece on medical liability reform in Massachusetts. The article, [“Massachusetts Malpractice Reforms Offer Faster, More Open Process for Injured Patients”](#) highlights the CARE program and its benefits as an alternative to malpractice litigation. MACRMI members Kenneth Sands, M.D., M.P.H., Alan Woodward, M.D., and Jeffery Catalano, Esq., were all quoted in the article.

To find the resources described above, and more, visit us at: [www.macrmi.info](http://www.macrmi.info)