



COMMON GOOD™
RESTORING COMMON SENSE TO AMERICAN LAW

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MORE THAN EIGHTY OF THE NATION'S MOST PROMINENT LEADERS IN HEALTHCARE AND LAW ENDORSE THE CREATION OF SPECIAL HEALTH COURTS

NEW YORK, NY – February 7, 2005 – Common Good, the bipartisan legal reform coalition, announced today that more than 80 of the nation's most prominent leaders in healthcare and law have endorsed the creation of special health courts as a way of restoring reliability to medical justice.

Health courts would have judges dedicated full-time to resolving healthcare disputes. The judges would make written rulings in every case to provide guidance on proper standards of care. Their rulings would set precedents on which both patients and doctors could rely. As with similar administrative courts that exist in other areas of law – for tax disputes, workers' compensation, and vaccine liability, among others – there would be no juries. To assure uniformity and predictability, each ruling could be appealed to a new Medical Appellate Court.

“American healthcare is in meltdown, in part because medical justice has become random,” said Philip K. Howard, Chair of Common Good. “That’s why these leading healthcare experts are supporting the creation of special health courts to restore reliability for patients and doctors alike. We have special courts for tax disputes. Isn’t healthcare at least as important?”

The 86 leaders – a full list of which is available at www.cgood.org/brochure-hcare-8.html – include:

- 10 university presidents;
- 11 deans of medical schools or schools of public health;
- 10 former high-ranking government officials, including four former U.S. Senators, two former Governors, a former U.S. Secretary of Health and Human Services, a former U.S. Attorney General, a former Deputy U.S. Attorney General, and a former Speaker of the U.S. House of Representatives; and
- 6 current or former heads of healthcare policy, healthcare quality or patient safety organizations.

“When patients are injured through medical error, healthcare providers have an obligation to respond – not only with improved medical care but also with equitable compensation,”

said William L. Roper, MD, MPH, Dean of the School of Medicine at the University of North Carolina at Chapel Hill. "Healthcare courts are needed to provide fair resolution to both patients and healthcare providers."

"The current legal system presents real barriers to improving the quality of American healthcare," said Margaret E. O'Kane, President, National Committee for Quality Assurance. "A special health court could provide powerful incentives for honest reporting and analysis of errors, and to elevate standards of care."

"Real improvements in patient safety, as well as basic fairness, require reliable and timely decisions by expert courts," said Troyen A. Brennan, MD, MPH, Professor of Health Policy and Management at the Harvard School of Public Health.

For additional information on special health courts, please visit www.cgood.org. For further information or to arrange an interview, please contact Allison Aldrich at 212-576-2700 x241.

Common Good is a bi-partisan legal reform coalition dedicated to restoring common sense to American law. Its board is composed of leaders in a wide range of fields: former government officials, including Griffin Bell, Newt Gingrich, Eric Holder, George McGovern, Diane Ravitch, Alan Simpson, and Richard Thornburgh; current and former university presidents, including Tom Kean, George Rupp, and John Silber, and numerous other leaders in education, healthcare, law, business and public policy. The Chair of Common Good is Philip K. Howard, a lawyer and author of The Death of Common Sense and The Collapse of the Common Good.

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