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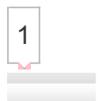
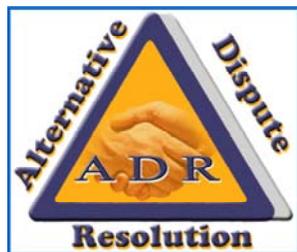
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## [Avoiding Lawsuits: Alternative Dispute Resolution](#)

by Robert Chelle on January 30, 2012



With the Arizona court system bogged down with healthcare cases, it isn't surprising that most disputes don't actually end up in court. In Alternative Dispute Resolution (ADR), trained, impartial persons known as "neutrals" decide disputes or help parties decide disputes themselves.

In mediation, a neutral mediator assists the parties in reaching a mutually acceptable resolution to their dispute. The mediator does not decide how the dispute is to be resolved, the parties do. Mediation is a cooperative process, in which the parties work together toward a resolution that tries to meet everyone's interests, instead of working against each other.

In arbitration, a neutral arbitrator reviews evidence, hears arguments, and makes the decision to resolve the dispute. This is very different from mediation where the mediator helps the parties reach their own resolution. Arbitration is normally much speedier and less expensive than a lawsuit. Because of the large number of healthcare related cases awaiting trial in Arizona courts, a dispute normally can be heard much more quickly by an arbitrator than by a judge. Often a case that may take a week to try in court can be heard by an arbitrator in a matter of hours.

In case evaluation, a neutral evaluator gives an opinion on the strengths and weaknesses of each party's evidence and arguments, and makes an evaluation of the case. Each party gets a chance to present the case and hear the other side. This may lead to a settlement, or at least help the parties prepare to resolve the dispute later on. Case evaluation, like mediation, can come early in the dispute and save time and money.

For more information on Healthcare Law in the Scottsdale and Phoenix areas as well as within Arizona, contact [Hall & Chelle, LLC](#) at (480) 422-4529, or email them at [info@hall-chelle.com](mailto:info@hall-chelle.com).

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## **Business Disputes: A Litigation Expectation**

by Robert Chelle on January 27, 2012



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Only a small percentage of litigation cases in healthcare ever result in a court trial. The vast majority of healthcare related business legal disputes are settled out of court through agreement prior to any court intercession. Negotiations resulting in a settlement are less costly and take far less time than litigation, and are generally in the interests of all parties involved.

Unfortunately, the trend of healthcare business disputes is beginning to shift away from settlement, and more and more often, are winding up in costly and timely courtroom litigation. There are a couple reasons for this but a primary one stands out. Healthcare business dispute settlements have historically been sealed and kept private, but with the media now a 24-hour a day operation, this propensity has become virtually impossible to continue.

Subsequently, attorneys for the healthcare industry are becoming increasingly less likely to agree to settlement in the interest of the parties involved in a specific business dispute to avoid a new precedent from being set which encourages a snowball effect of new lawsuits, bogging down an already overwhelmed and financially strapped healthcare court system.

With the U.S. economy in shambles, society has become progressively more litigious, and an expectancy of litigation in a courtroom continues to permeate the anticipations of businesses involved in legal dispute. Ultimately, without reform of some kind, this trend will continue to spiral out of control, costing all the parties involved more time and more money.

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## **Medical Supply Provider Pays \$5M to Settle Fraud Suit**

January 26, 2012



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A Santa Clarita, CA medical supply provider has paid \$5 million to settle a lawsuit in which a whistleblower alleged the company overbilled Medi-Cal.

US attorney's spokesman Thom Mrozek, basically calling the whole thing a bunch of crap, said, "Shield Healthcare was accused of submitting inflated bills to the state's health insurance program for the poor on incontinence supplies."

[Read more on Medical Supply Provider Pays \\$5M to Settle Fraud Suit...](#)

[Read the full article →](#)

## [Protecting Your Business from Litigation in the Era of Employee Lawsuits](#)

January 25, 2012

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According to [EEOC charge statistics](#), complaints against employers increased from 75,428 in 2005 to 99,922 in 2010, an escalation of 32%. With the economy in a state of chaos, future tax rates a mystery, and employee healthcare costs skyrocketing, this should be no surprise. Businesses are being forced into drastic policy modifications minimizing pay rates, benefits, and the number of employees they can sustain on their payrolls.

[Read more on Protecting Your Business from Litigation in the Era of Employee Lawsuits...](#)

[Read the full article →](#)

## [No Arizona Healthcare Business is Litigation Proof: Is Yours Ready?](#)

January 24, 2012

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The economic climate in Arizona has seen an increase in the number of legal disputes breaking out in the healthcare industry. Inevitably, this has led to a substantial increase in the number of healthcare related litigation cases being heard in the Arizona court system.

[Read more on No Arizona Healthcare Business is Litigation Proof: Is Yours Ready?...](#)

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