



## Medicare Patients Use Mediation To Help Resolve Complaints

(NAPSA)—In Tennessee, after being admitted to a hospital, a patient complained about receiving unprofessional treatment from hospital staff. In New York, an angry patient alleged being given poor care by a nurse. In Texas, a patient became upset after feeling that no one satisfactorily explained an upcoming medical procedure.

In the past, these and similar complaints could often result in costly legal fees. Today, if you have Medicare, you can have a lead role in identifying solutions to complaints such as these. Mediation allows the doctor and patient to submit their dispute to a neutral third party without the time, trouble and expense of a lawsuit.

Mediation is not a new concept; you may have heard it mentioned in the news as a means of resolving labor disputes. Since September 2003, Medicare has provided this service through its 53 Medicare Quality Improvement Organizations. QIOs are independent organizations that support Medicare's efforts to improve the quality and efficiency of health care by working with physicians, hospitals and other caregivers to make sure every patient gets the right care at the right time.

Mediation is one of the tools that the QIOs—and patients—have to help achieve that goal. Under Medicare, the mediation program has two purposes: to resolve an individual complaint and to improve the quality care

for future patients. The service is free and available in every U.S. state, the District of Columbia, Puerto Rico and the Virgin Islands.

Mediation is a confidential procedure that allows you—or your loved ones acting on your behalf—to meet face to face with a doctor, provider or health plan to discuss a quality-of-care issue. A mediator helps both parties work together to resolve the dispute, working through the QIO to help ensure a fair dispute-resolution process.

“Mediation may be right for you if, for example, you believe you were discharged too early from a hospital; if you feel you were discharged without appropriate instructions; if you think you had inappropriate surgery; if you are concerned you received the wrong medication or the wrong dosage of a medication; or if you had difficulty obtaining a referral for a service, such as physical therapy,” says Dr. William Rollow, director of the Quality Improvement Group at the federal office that administers Medicare. “Nearly 80 percent of complaints such as these are due to lack of communication or patients’ concerns about their interaction with doctors or providers. In cases such as these, mediation can help lead to an effective solution. But the program was never designed to address serious malpractice issues or other complaints resulting in injury.”

The participants in a mediation session include:

- Yourself (the person with the complaint). Also, if all parties agree, you may also be accompanied by a representative (family member, friend, neighbor), or you may be represented by someone who attends on your behalf.

- The doctor or the medical provider who you have the complaint against.

- A professional mediator.

Both parties must agree to participate, and participation is completely voluntary.

During the mediation session, the mediator will create a comfortable, nonthreatening environment that will allow both parties to talk openly and listen to one another's points of view. The goal is to reach an agreement between you and your doctor/provider. To ensure privacy, no record is kept during the actual mediation, and any notes taken during the session are destroyed. Nothing that you or your doctor/provider says during any mediation session can be used against either of you in court.

Patients interested in filing quality-of-care complaints should contact their local QIO. To find a QIO, visit [www.medicare.gov/qio/contacts.asp](http://www.medicare.gov/qio/contacts.asp). For more information on the mediation program, call 1-800-MEDICARE (1-800-633-4227) or go to [www.medicare.gov/qio/mediation.asp](http://www.medicare.gov/qio/mediation.asp).

This information has been provided by the Centers for Medicare & Medicaid Services, an agency of the U.S. Department of Health and Human Services.