



Summary/Explanation of Arbitration Agreement

A binding arbitration agreement requires patients to submit all future claims to arbitration instead of having the claims heard in court by a judge or Jury.

An arbitrator is a person chosen to resolve disputes after hearing the information presented by both sides. Three arbitrators are selected for each dispute from a list of persons trained and approved as arbitrators for the State and Federal courts in Utah. You (the patient) select one arbitrator, your doctor selects the second, and both you and the doctor must agree upon the third arbitrator.

You pay for the fees and expenses of your arbitrator, the doctor pays for his or her arbitrator, and the fees and expenses of the third arbitrator are shared equally.

The arbitration agreement automatically renews each year unless it has been canceled through written notice sent by certified mail before the renewal date.

Benefits to arbitration include saving time, money and privacy issues. A medical liability lawsuit can take several years to be resolved through the court system. Most arbitration settlements can be completed in a matter of months. Though you are welcome to include an attorney in the process, an attorney is not necessary and retaining one may increase your expense. Arbitration settlements do not impose financial limits on recovery of damages when physician liability is confirmed.

Arbitration proceedings are held privately with only the need of five persons involved in settlement (patient, doctor, and 3 arbitrators), so there is no need to have medical records displayed in an open court session.

The state of Utah and insurance carriers have proposed arbitration agreements to help control the escalating costs of malpractice insurance. This helps to reduce patient costs as well.

You have the right to have all of your arbitration questions answered by a representative of Zion Eye Institute. Thank you for our cooperation in this effort.