

January 31, 2003

Harold J. Bressler, Esquire  
General Counsel  
Joint Commission on Accreditation  
Of Healthcare Organizations  
One Renaissance Blvd.  
Oakbrook Terrace, IL 60181

Dear Hal:

Thank you for your letter dated December 18, 2002 inviting the American Health Lawyers Association's (Health Lawyers) input on the Medical Staff Chapter Standards. Enclosed is a response drafted by the leadership of the Credentialing & Peer Review (CPR) Practice Group. The leaders of the CPR Practice Group are Dan Mulholland of Horty Springer & Mattern; Sherry A. Fabina-Abney of Ice Miller Donadio & Ryan; Ann O'Connell of McDonough Holland & Allen; Brenda Strama of Vinson & Elkins; and Michael Cassidy of Tucker Arensberg.

The CPR Practice Group is composed of volunteer members who provide advice and counsel on credentialing and peer review issues in all types of healthcare settings, including issues of medical staff and physician relations; peer review; privileging; selection and de-selection of practitioners; allied health practitioners; and medical staff bylaws.

The attached response is the response of the CPR Practice Group's leadership. It should not be construed as the "position" of Health Lawyers for the reasons detailed below.

Health Lawyers is the nation's largest educational organization devoted to legal issues in the healthcare field. With approximately 9,200 members, Health Lawyers provides resources to address the issues facing its members who practice in law firms, government, in-house settings and academia, and representing clients from the entire industry spectrum: physicians, hospitals and health systems, health maintenance organizations, health insurers, managed-care companies, long-term care facilities, home health agencies, durable medical equipment suppliers and consumers. Hence, Health Lawyers members provide leadership, legal representation and corporate and regulatory counsel to virtually every sector of the healthcare industry.

Health Lawyers' mission is to provide a forum for interaction and information exchange to enable its members to serve their clients more effectively; to produce the highest quality non-partisan educational programs, products and services concerning health law issues; and to serve as a resource on various legal issues related to the delivery of healthcare in the United States. Health

Lawyers is a non-profit, tax-exempt educational association governed by a board of directors.

The attached comments do not represent the “position” of Health Lawyers with respect to the Joint Commission’s new Medical Staff Chapter Standards. The Association does not take positions on policy matters or on accreditation issues. Health Lawyers purposefully does not engage in advocacy activities. However, the Association’s mission does include a directive to act as a public resource on various healthcare legal issues. It is in this capacity that I forwarded your letter to the CPR leadership. The purpose of the attached comments is not to advocate for any particular position or outcome with the Joint Commission, but simply to give you the benefit of our CPR Practice Group leadership’s experience and knowledge in this field. Health Lawyers wants to be a resource to help the Joint Commission produce the best standards possible.

Thank you for thinking of Health Lawyers, and I hope you find the CPR Practice Group leadership’ comments helpful.

Sincerely,

Peter M. Leibold  
Executive Vice President and CEO