

## RESOLUTION #2

**Introduced by:** Bergen County Medical Society

**Subject:** **Binding Arbitration**

**Referred to:** Reference Committee

1 Whereas, the practice of medicine is continually threatened by the fear of medical  
2 malpractice litigation (and its financial and emotional consequences); and  
3

4 Whereas, the utilization of pre-dispute binding arbitration agreements in medical practice has  
5 recently been upheld in the Moore v. Fernandez case in both the lower and appellate courts  
6 of New Jersey; and  
7

8 Whereas, the physician community in New Jersey and throughout the nation needs the  
9 option of pre-dispute binding arbitration to be readily available; now therefore be it  
10

11 RESOLVED, that our American Medical Association adopt policy that supports the  
12 utilization of negotiable, pre-dispute binding arbitration as an (effective method of doctor-  
13 patient conflict resolution); and be it further  
14

15 RESOLVED, that the MSNJ Delegation to the AMA present this resolution for  
16 consideration by theAMA House of Delegates at the next annual or interim meeting.  
17