

International Workshop

Pisa, 5th – 6th June 2009

Medical liability and medical accidents compensation. From the blame game to individual rights protection in the provision of medical services

Responsabilité médicale et indemnisation des accidents thérapeutiques. Du jeu du blâme à la protection des droits individuels dans la prestation de soins de santé

Responsabilidad Sanitaria e indemnización de accidentes médicos. Del papel de la culpa a la protección de los derechos individuales en el suministro de servicios médicos

Organised by

Opinio Juris in Comparatione

Studies in Comparative and National Law

Études de droit comparé et national

Estudios de derecho comparado y nacional

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Programme

Friday, 5th June

**Mechanisms for the protection of patients and the compensation for harm:
Circulating models, integrating them**

10.30 Registration

Morning session, **Chair:** P.G. Monateri, Università Torino, President AIDC

11.30 Welcome

by the President of ISVAP, the Director of the Scuola Superiore Sant'Anna and the Director of Osservatorio sul Danno alla Persona

12.00 Introduction to the Workshop

Giovanni Comandé, LIDER-Lab, Scuola Superiore Sant'Anna, Pisa

12.30 Medical liability. Issues relating to insurance and third party protection. The role of the supervisor, Patrizia Di Benedetto, Department Tutela dei danneggiati del Servizio Tutela Utenti dell'ISVAP (National Agency controlling the Insurance Market)

13.00 Lunch break

Afternoon session, **Chair:** Giulio Ponzanelli, Università Cattolica del Sacro Cuore di Milano

14.30 The protection of the rights of patients in incident management systems

Herman Nys, University of Leuven, Belgium

- 15.00 *Compensation, Ideology and Patient Safety in New Zealand's No-Fault System*
Ken Oliphant, Institute for European Tort Law, Vienna, Austria
- 15.30 Discussion
- 16.00 Break
- 16.30 *Remedying patients for moral harm: the case of the infringement of patient rights*
Ewa Bagińska, Nicolaus Copernicus University, Torun, Poland
- 17.00 *La combinaison des mécanismes de responsabilité et de solidarité en matière d'indemnisation des accidents médicaux dans la loi française*
Sophie Hocquet-Berg, Université Paul Verlaine de Metz, France
- 17.30 *Are no-fault systems a suitable alternative to litigation for addressing medical accident claimants' objectives?* Brenda Daly, Dublin City University, Ireland
- 18.00 Discussion

Saturday, 6th June

**Patients rights in cross border delivery of medical services /
The role of access and use of personal data concerning health**

Chair: Luigi Arru, President OMCeO Provincia di Nuoro

- 09.30 *Computerized medical records, patients'rights, legislation and issues in the interstate delivery of care: What can we learn from the American experience?*
Giuseppe Turchetti, Scuola Superiore Sant'Anna, Pisa, Italy; Elie Geisler and Nilmini Wickramasinghe, Stuart School of Business of the Illinois Institute of Technology, Chicago, USA
- 10.00 *Patient in the centre of medical responsibility*
Jasminka Katić Bubaš, Ministry of health and social welfare, Republic of Croatia
- 10.30 *Professions réglementées dans le domaine médical et le droit fondamental à vivre en bonne santé dans l'UE*, Alessandro Ianniello-Saliceti, European Commission, Brussels
- 11.00 Discussion
- 11.30 Break
- 12.00 *Designing Factfinding for Cross-Border Healthcare*
Vern R. Walker, Hofstra University School of Law, Hempstead, New York, USA
- 12.30 Final discussion and conclusion

The participation at the workshop is free of charge, but it requires **obligatory inscription** by **21st of May 2009**. Please find the inscription form at: <http://lider-lab.sssup.it/joomla/opinio-workshop>
The workshop will take place at the Scuola Superiore Sant'Anna, Piazza Martiri della Libertà, 33 in Pisa.
Contact: opiniojuris@sssup.it |