RESOLVED, That the American Bar Association supports the development and use of evidence-based, clinical, or medical practice guidelines or standards regarding patient care and safety that are created by independent organizations comprised of experts, recognizing the need to incorporate updates on a continuous basis and further recognizing that such guidelines are not necessarily synonymous with the applicable standard of care in any particular jurisdiction;

FURTHER RESOLVED, That the ABA opposes federal or state legislation that provides that a healthcare provider is not negligent, or is presumptively not negligent and is therefore not responsible for an adverse outcome on the sole basis that the healthcare provider followed or practiced in conformity with, evidence-based, clinical or medical practice guidelines or standards.

FURTHER RESOLVED, That the ABA opposes federal or state legislation that provides that a healthcare provider is negligent, or is presumptively negligent and is therefore responsible for an adverse outcome on the sole basis that the healthcare provider failed to follow or failed to practice in conformity with, evidence-based, clinical or medical practice guidelines or standards.