

TAKING IT TO COURT OR TAKING IT TO THE STREETS?
HOW AND WHY DO PHYSICIANS IN TAIWAN HANDLE DISPUTES WITH
THE GOVERNMENT-RUN UNIVERSAL HEALTH PLAN?

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ABSTRACT

Since 1995, Taiwan has government run universal health plan by the Bureau of National Health Insurance with one of the highest patient satisfaction rate around the world. But in 2005, thousands of doctors marched in protest to demand the abolition of the global budget plan, a payment system designed to contain cost but resulting in deflation of medical service reimbursement fees given to doctors for medical services rendered to patients. Although NHI applies the same discount scheme to all physicians, the plan has elicited array of responses. My thesis investigates methods employed by physicians in Taiwan to protest unfair reimbursement for medical services under Taiwan's government-run universal health plan. To discover why some doctors took their dispute to court while most chose informal methods like participating in the 2004-2005 global budget demonstration or using *guanxi*, I surveyed a representative group of general practitioners in Taiwan and conducted interviews with salient examples of physicians. I found a correlation between physicians' past experience of suing the government and their participation in litigation against NHI regarding the 2004-2005 global budget disputes. Some doctors are "repeat players" in suing the government, while the majorities are "zero players" who never initiate litigation despite their strong motivation to fight what they perceive as unreasonable administrative decisions. In-depth interviews not only discovers "confrontational" and "harmony-preferring" physicians but also finds that there are significant structural obstacles that hinder the "zero players" from accessing the administrative litigation system. Therefore, several policy suggestions are proposed to remove such hindrance, in the hope that Taiwan's rule of law will mature to the extent that citizens will have easier access to the legal system when they want to have grievances redressed.