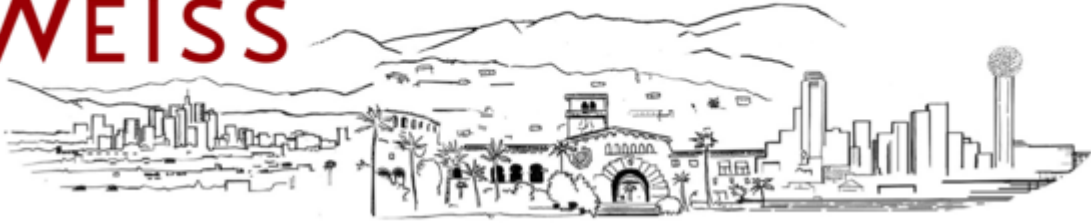


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Why Taking Control Is a Smart Contracting Tactic

You've heard that old expression to the effect that it's better to do and then ask for forgiveness than it is to ask for permission in the first place.

I'm not sure if that's always right in a social setting, but in business it often works out in your favor.

After all, there's a lot of conflicting interests, like the need to demonstrate the ability to take independent action.

But in the end, much of it is contextual. Eating the pie your mom made for the party tomorrow night at Aunt Sally's isn't one for which your initiative is going to be rewarded.

But there's a related contract negotiating tactic: demonstrating control or dominance.

Lawyers and other negotiators know that controlling the drafting of documents engenders significant control over the outcome. Clients who think that it will save them money to let the other side present the initial draft are very short sighted, indeed. Psychologically, you're now battling uphill – your deal point insertions are changes – you are pushing against the momentum of the printed word. And for some reason about which it makes no difference to attempt to explain, people in our society place an outsized value on what's in print.

But let's say that you've allowed yourself to get into that position. Now what?

One tactic that can be used to increase your leverage is to express dominance when making changes to the document. As in the old expression set out above, don't go asking for permission; instead, command that changes be made.

"Please change 90 days to 180 days" is weak and wimpy. "Change 90 to 180 and get the document back to me by noon tomorrow" is strong and dominant. Is it guaranteed to get you 180 days? Heck no. Nothing is. But it's more likely to bear fruit than the wimpy first example.

The same tactic plays itself out in other, more complex ways as well, all based on triggers placed in our minds decades ago.

Those who think this is some sort of testosterone driven notion, some voice and paper equivalent of road rage, have little to no understanding of human nature.

That's why they're willing to save a few thousand dollars up front to potentially lose millions later.



Wisdom. Applied. 170: Time Travel

Why are you convinced that you have to work your way up the ladder step-by-step? Why can't you simply jump, skipping ahead as many rungs you want, taking a quantum leap from your present position to another more desirable one?

All Things Personal

The plane hadn't yet taken off. Across the aisle, a man and woman were talking about how ridiculously expensive the tickets, first class to London, had been. Then why buy them? There are certainly other alternatives, as in more than 450 of them on the same flight.

Was it that they didn't see the value? But if value (to them) was less than the price, why did they buy them?

Was it just "tawk" - something to do while sipping champagne? Maybe.

Was it a bid for connection from one to the other? An instance of the need to be heard, à la Carl Rogers? Perhaps we're on to something.

But the thing is that even though complaining might serve some interesting and valid psychological need, it just sounds like complaining to the guy across the aisle.

What's even more the thing, is that complaining by medical group members in public or, especially, in private to hospital executives, sounds like a lot more than just complaining, it sounds like the group has a significant management problem.

Complain as you want about me writing about complaining, or perhaps even complaining about complaining, but what have you done to encourage that complaints within your group be directed to the appropriate person inside your group, and not aired in the hallways, to referring physicians, or to the C-suite?

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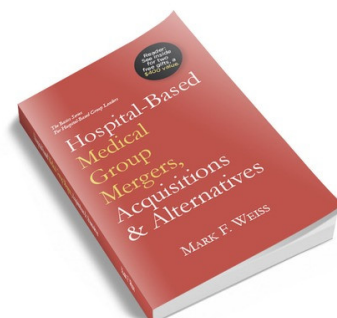
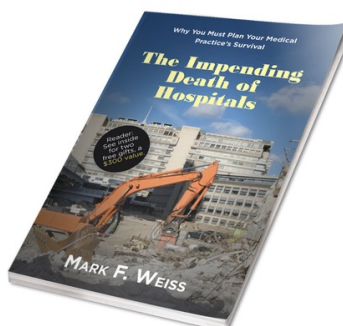
Published Articles

- [A Subtle Seduction: Anesthesia and the Company Model](#), published on The Anesthesia Insider, by [Anesthesia Business Consultants](#). exclusive [Anesthesia Services RFPs: Cognitive Biases and Hidden Opportunity](#), published in the Summer 2022 Issue of [Communique](#).

Books and Publications



We all hear, and most of us say, that the pace of change in healthcare is quickening. That means that the pace of required decision-making is increasing, too. Unless, that is, you want to take the “default” route. That’s the one in which you let someone else make the decisions that impact you; you’re just along for the ride. Of course, playing a bit part in scripting your own future isn’t the smart route to stardom. But despite your own best intentions, perhaps it’s your medical group’s governance structure that’s holding you back. In fact, it’s very likely that the problem is systemic. The Medical Group Governance Matrix introduces a simple four-quadrant diagnostic tool to help you find out. It then shows you how to use that tool to build your better, more profitable future. Get your free copy [here](#).



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- 3. Book me to speak to your group or organization.** I've spoken at dozens of medical group, healthcare organization, university-sponsored, and private events on many topics such as The Impending Death of Hospitals, the strategic use of OIG Advisory Opinions, medical group governance, and succeeding at negotiations. For more information about a custom presentation for you, [drop us a line](#).
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