

Duncan Clark MacCourt, J.D., M.D.

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Current Position

2013 – Present

Associate Medical Director

McLean Hospital, SouthEast

Associate Psychiatrist

McLean Hospital

Instructor in Psychiatry

Harvard Medical School

Boston, Massachusetts

Treat patients in partial hospital and inpatient programs at McLean Hospital, providing psychopharmacology and supportive therapy. Instruct Harvard South Shore program psychiatry residents. Research and teaching interests include law and psychiatry, ethics, literature and psychiatry, psychiatric education methodologies, medical error reduction and emerging technologies.

Previous Experience:

**2009 – 2013 and
2006-2008**

Assistant Professor

Attending Psychiatrist

Department of Psychiatry

Division of Law and Psychiatry

University of Massachusetts Medical School

Worcester, Massachusetts

Treat forensically committed patients at Massachusetts state hospitals, providing psychopharmacology treatment and supportive therapy. Testify at district and probate courts. Teach medical students, residents, and forensic fellows. Research on tort reform and medical error reduction.

2008 – 2009

Attending Psychiatrist

MHM Services, Inc.

Vienna, Virginia

Treat judicially-committed patients on inpatient forensic units at Massachusetts state correctional facilities. Teach and supervise forensic psychiatry fellow from Harvard and University of Massachusetts.

2005 – 2006

Associate Psychiatrist
Department of Psychiatry
Brigham and Women's Hospital
Fellow in Psychosocial Oncology/CL Psychiatry
Dana Farber Cancer Institute
Harvard Medical School
Boston, Massachusetts

Evaluate and treat Dana Farber patients in outpatient psychiatry clinic. Perform consultation evaluations on medical and surgical inpatients at Brigham and Women's Hospital. Teach Harvard Medical students. Lecture on law and psychosocial oncology-related topics. Nominated for Harvard Medical School Graduating Class Teaching Award.

Education:

M.D.

University of Pennsylvania, 2001
Philadelphia, PA
Honors and Activities:
Twenty-first Century Scholar
Lead Editor, Doctoring Book Project
Fourth Year writing project on Tort Reform and Medical Error Reduction

**Post-Baccalaureate
Premedical Certificate**

Goucher College, 1996
Baltimore, MD

J.D. *cum laude*

Harvard Law School, 1994
Cambridge, MA
Awards and Honors:
Executive Editor, Harvard Human Rights Journal
Highest Honors (A+) Third Year Paper "Stevens and Blake"
Research Assistant in Family Law, Professor David Westfall
Research Assistant, Professors Alan Stone, MD and Thomas Gutheil, MD
Law Tutor, Dudley House, Harvard College

A.B. *summa cum laude*

Harvard College, 1989
Major in English and American Literature and Language
Awards and Honors:
Highest ranking *summa cum laude* graduate, Class of 1989
Sophia Freund Prize for highest ranking *summa* graduate
Elected to Phi Beta Kappa
Palfrey Exhibition Prize for "the most distinguished scholar in the Senior

Class who is the recipient of a stipendiary scholarship.”

Highest Honors Senior Thesis “Seeing the Text: Reading and Resistance in Charlotte Bronte’s *Jane Eyre*.”

John Harvard Scholar 1987, 1988, 1989

Elaine Strauss Scholarship

Postdoctoral Training:

2005 – 2006

Fellow in Psychosocial Oncology/CL Psychiatry

Dana Farber Cancer Institute/Brigham and Women’s Hospital

Harvard Medical School

Boston, Massachusetts

Awards and Honors:

Fellow, American Psychoanalytic Association

Class of 2006 Teaching Honor Nomination, Harvard Medical School

2002 – 2005

Resident in Psychiatry

The Cambridge Hospital/Harvard Medical School

Cambridge, Massachusetts

Awards and Honors:

Chief Resident of Inpatient Psychiatry

Lemuel Shattuck Hospital through Cambridge Hospital

Chief Resident of Legal Psychiatry

Massachusetts Mental Health Center through Cambridge Hospital

Rappeport Fellow, American Academy of Psychiatry and Law

Invited Participant, APA Chief Residents Leadership Conference

Co-taught forensic psychiatry course for second year residents, taught Landmark Cases seminar in MGH Division of Law and Psychiatry, restructured medical student introductory psychiatry course at Shattuck Hospital, supervised medical students and residents in psychiatry

2001 – 2002

Transitional Year Intern

The Cambridge Hospital/Harvard Medical School

Cambridge, Massachusetts

Licensure and Certification:

2006 – Present

Subspecialty Board Certified in Psychosomatic Medicine/Consult-Liason Psychiatry

2006 – Present	Board Certified, American Board of Psychiatry and Neurology
2005 – Present	Commonwealth of Massachusetts Full Medical License
2001 – 2005	Commonwealth of Massachusetts Limited Training License
1995 – Present	Licensed Attorney, Commonwealth of Massachusetts

Academic Appointments:

2013 – Present	Instructor in Psychiatry Harvard Medical School Boston, Massachusetts
2009 – 2013 2006 – 2008	Assistant Professor Department of Psychiatry University of Massachusetts Medical School Worcester, Massachusetts
2002 – 2006	Clinical Fellow in Psychiatry Harvard Medical School Boston, Massachusetts
2001 – 2002	Clinical Fellow in Medicine Harvard Medical School Boston, Massachusetts

Other Work Experience:

2000 – 2001	Research Assistant in Medicine and Public Policy The University of Pennsylvania School of Medicine Philadelphia, Pennsylvania
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Working for Professor Joseph Bernstein, M.D., conducted Manhattan Institute grant-funded research of medicine, law and policy topics of error reduction and tort reform in preparation for law review article now in progress.

1995 – 1996	Attorney (Clerk) The United States Court of Appeals, The First Circuit Boston, Massachusetts and Bangor, Maine
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Clerking for the Honorable Conrad Cyr, researched and wrote draft opinions on federal and state law; worked with judge on subsequent drafts eventually published as opinions of the Court. Advised judge on legal precedent, public policy, recommendations for disposition of appeals.

1994 – 1995 **Research Assistant**
 Harvard Law School
 Cambridge, Massachusetts

Researched legal issues, prepared memos, wrote articles on law and psychiatry, law and literature, and public policy topics with Professor Alan A. Stone and for Mind/Brain/Behavior Initiative. Wrote review paper on evolutionary psychology of group violence for Professor Steven Hyman.

Summer 1993 **Summer Associate Attorney**
 Hutchins, Wheeler, & Dittmar
 Boston, Massachusetts

Researched and wrote legal memoranda for various departments of a large, established corporate law firm during summer associate program. Offer extended.

Summer 1991 **Student Attorney**
 Harvard Prison Legal Assistance Project
 Cambridge, Massachusetts

Represented state prison inmates by researching case law, investigating charges, writing briefs, and appearing as counsel for accused at prison disciplinary hearings. Secured reductions in penalties or dismissals in all cases argued.

Community Service Related to Professional Work

Summer 1992 Volunteer, Hospice of Cambridge

Professional Societies

2006 – 2009	APA Corresponding Committee on Misuse and Abuse of Psychiatry	Member
2004 – 2006	APA Council on Psychiatry and Law	Corresponding Member
2004 – Present	American Psychiatric Association	Member
2004 – 2008	American Academy of Psychiatry and Law	Member
2004 – 2006	Program in Psychiatry and Law, HMS	Member
1995 – Present	State Bar of Massachusetts	Member

Editorial Boards

1993 – 1994	Executive Editor (Books)	<i>Harvard Human Rights Journal</i>
1992 – 1993	Editor	<i>Harvard Human Rights Journal</i>

Lectures, Courses and Presentations

Co-teacher with Alan Stone, M.D., “The Fiction and Biography of Philip Roth: A Meditation on American Identity,” reading group course at Harvard Law School, Fall Semester 2014. (Invited co-teacher for full course.)

Co-teacher with Alan Stone, M.D., “Law and Psychiatry” reading group course at Harvard Law School, Fall Semester 2012. (Invited co-teacher for full course.)

The Mental Health Clinician as Health Care Proxy. Presentation at Department of Psychiatry Grand Rounds, Edith Nourse Veterans Administration Hospital, Bedford, MA. Dec. 8, 2010.

End of Life Care in Oncology: Clinical, Ethical, and Legal Dilemmas in Choosing the Health Care Agent. Presentation at Psychosocial Grand Rounds to Department of Interdisciplinary Oncology, H. Lee Moffitt Cancer Center, Tampa, Florida, January 27, 2006.

Clinical, Ethical and Legal Dilemmas in Caring for the Medically Ill Psychiatric Patient. Joseph R, MacCourt DC, Davis EA, Edersheim J. Workshop Presentation, American Psychiatric Association Annual Meeting, May 26, 2005.

Reading Case Law: A Practical Approach. Schouten R., Edersheim J, MacCourt DC, Brendel R. Panel Presentation. American Academy of Psychiatry and Law, Annual Meeting, October 21, 2004.

Diminished Capacity: Federalism in Egelhoff and Patterson. Presentation to the Department of Law and Psychiatry, the Massachusetts General Hospital, Landmark Cases Seminar, March 1, 2004.

Understanding Physician/Patient Relations: Law and Policy in the Insurance Cases. Presentation to the Department of Law and Psychiatry, MGH Landmark Cases Seminar, December 15, 2004 and January 3, 2005; December 15 and 22, 2003.

Clinical, Ethical and Legal Dilemmas in Caring for the Medically Ill Psychiatric Patient. Elizabeth Davis, M.D., Judith Edersheim, J.D., M.D., Robert Joseph, M.S., M.D., Duncan MacCourt, J.D., M.D. Presentation before joint medicine/psychiatry grand rounds, Cambridge Hospital, October 23, 2003.

Tarasoff and Its Implications. Presentations to Psychiatry C-L Seminar, The Cambridge Hospital, December 12, 2002, and to the Psychiatry Emergency Service, Cambridge Hospital. November 1, 2002.

Finding Moral Meaning in Law and Medicine. Address to the National Alumni Council, The University of Pennsylvania School of Medicine, Philadelphia, Pennsylvania. May 15, 1998.

Posters

The Extruded Patient: Clinical, Ethical and Legal Dilemmas in Caring for the Medically Ill Psychotic Patient. MacCourt DC, Davis, EA, Joseph R, Edersheim J, Kontos, N. APA Institute for Psychiatric Services, Atlanta, Georgia, October 8, 2004.

The Extruded Patient: Clinical, Ethical and Legal Dilemmas in Caring for the Medically Ill Psychotic Patient. Duncan MacCourt, J.D., M.D., Elizabeth Davis, M.D., Robert Joseph, M.S., M.D., Judith Edersheim, J.D., M.D., and Nicholas Kontos, M.D. Myself Harvard Psychiatry Day, Harvard Medical School, March 2004.

Bibliography

Book Chapter:

Stone AA, MacCourt DC. Insurance Coverage for Undue Familiarity: Law, Policy and Economic Reality. In: Bloom JD, Notman MT, Nadelson CC, editors. Physician Sexual Misconduct. Washington, D.C.: American Psychiatric Press; 1999. p. 37-88

Articles:

Bernstein J, MacCourt DC, Jacob DM, Mehta S. Utilizing Information Technology to Mitigate the Handoff Risks Caused by Resident Work Hour Restrictions. *Clinical Orthop Relat Res* (2010) 468:2627-2632.

MacCourt, D., Bernstein J. Medical Error Reduction and Tort Reform Through Private, Contractually-Based Quality Medicine Societies. *American Journal of Law and Medicine*, 2009; 35:505-561.

Bernstein J., MacCourt D. Best Practices for Health Care and (Tort) Reform, *Medical Practice Today.Com*, August 14, 2009, available at http://www.medicalprogresstoday.com/enewsletters/mpt_ind.php?pid=1817&nid=233.

Bernstein J, MacCourt D, Abramson B. Topics in Medical Economics: Medical Malpractice. *J Bone Joint Surg. Am.* 2008; 90:1777-1782.

Stone AA, MacCourt DC. Ethics in Forensic Psychiatry: Re-Imagining the Wasteland after 25 Years. *The Journal of Psychiatry and Law*, Winter 2008; 36:617-643.

MacCourt D, Stone A. Caught in Limbo Between Law and Psychiatry. *Psychiatric Times*. Vol. XXII; Issue 7. June 2005.