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MARCIA M. BOUMIL
PAUL A. HATTIS

Medical Liability

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3rd Edition


WEST®

MEDICAL LIABILITY IN A NUTSHELL

THIRD EDITION

By

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PREFACE

The third edition of this text builds on the two previous efforts to help support law students and others who would like to acquaint themselves with the key concepts of medical liability. We have maintained the basic structure of the first six chapters which provide the reader with the core concepts and issues that relate to the legal aspects of clinical care. However, for this edition, we decided to summarize the medical liability issues of both the institutional direct providers of care (“hospitals”) together with the organizations that often combine elements of both health care financing and patient care (“managed care organizations”) because we felt it would be useful to the reader to think about health care organizations and their complexity as they relate to institutional decisions that impact the health of patients. We also renamed and reshaped the final chapter which deals with some liability issues tied to the “review of care” as well as some of the key issues under discussion concerning tort reform.

We remain indebted to Professor Joseph H. King Jr., who wrote the first Nutshell on medical malpractice in 1977, and the thoughtful scheme that he provided for summarizing the state of the law in this area. Like Professor King, we remain

PREFACE

hopeful that this book will help to remove some of the mystery tied to this complex field of law.

We are also indebted to a number of dedicated law and public health students enrolled in the Northeastern University School of Law/Tufts University School of Medicine dual JD/MPH program. They not only provided research and writing assistance for this third edition but also some contributed some thoughtful guidance on what would likely be useful to the reader.

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TABLE OF CASES

References are to Pages

- Abraham v. United States, 932 F.2d 900 (11th Cir.1991), 220
- Abshire v. Methodist Healthcare–Memphis Hospitals, 325 S.W.3d 98 (Tenn.2010), 231
- Adams By and Through Adams v. Children’s Mercy Hosp., 832 S.W.2d 898 (Mo.1992), 332
- Agacki, State v., 226 Wis.2d 349, 595 N.W.2d 31 (Wis.App.1999), 13
- Alexander v. Mount Sinai Hosp. Medical Center, 484 F.3d 889 (7th Cir.2007), 213
- Alexandridis v. Jewett, 388 F.2d 829 (1st Cir.1968), 38
- Alfonso v. Lund, 783 F.2d 958 (10th Cir.1986), 147
- Anderson v. Prease, 445 A.2d 612 (D.C.1982), 104
- Andreu ex rel. Andreu v. Secretary of Dept. of Health and Human Services, 569 F.3d 1367 (Fed.Cir.2009), 41
- Aptekman, Estate of v. City of Philadelphia, 2001 WL 1486350 (E.D.Pa.2001), 266
- Arena v. Gingrich, 305 Or. 1, 748 P.2d 547 (Or.1988), 141
- Arlene, In re Guardianship of, 67 Mass.App.Ct. 1115, 857 N.E.2d 46 (Mass.App.Ct.2006), 122
- Arrington v. Wong, 237 F.3d 1066 (9th Cir.2001), 261
- Austin, City of v. Davis, 693 S.W.2d 31 (Tex.App.-Austin 1985), 102
- Ayotte v. Planned Parenthood of Northern New England, 546 U.S. 320, 126 S.Ct. 961, 163 L.Ed.2d 812 (2006), 117
- Baker v. Adventist Health, Inc., 260 F.3d 987 (9th Cir.2001), 256
- Baker v. Barber, 673 F.2d 147 (6th Cir.1982), 212
- Balderston v. Medtronic Sofamor Danek, Inc., 285 F.3d 238 (3rd Cir.2002), 235

TABLE OF CASES

- Banks v. St. Mary's Hosp. and Medical Center, 558 F.Supp. 1334 (D.Colo.1983), 243
- Bardoni v. Kim, 151 Mich.App. 169, 390 N.W.2d 218 (Mich.App. 1986), 13
- Bartimus v. Paxton Community Hosp., 120 Ill.App.3d 1060, 76 Ill.Dec. 418, 458 N.E.2d 1072 (Ill.App. 4 Dist.1983), 54
- Battle ex rel. Battle v. Memorial Hosp. at Gulfport, 228 F.3d 544 (5th Cir.2000), 255
- Beatty v. Morgan, 170 Ga.App. 661, 317 S.E.2d 662 (Ga.App. 1984), 22
- Belcher v. Charleston Area Medical Center, 188 W.Va. 105, 422 S.E.2d 827 (W.Va.1992), 115
- Bell v. Umstattd, 401 S.W.2d 306 (Tex.Civ.App.-Austin 1966), 130
- Bellotti v. Baird, 443 U.S. 622, 99 S.Ct. 3035, 61 L.Ed.2d 797 (1979), 116
- Benavidez v. United States, 998 F.Supp. 1225 (D.N.M.1997), 89
- Berger v. Sonneland, 144 Wash.2d 91, 26 P.3d 257 (Wash.2001), 146
- Berlin v. Nathan, 64 Ill.App.3d 940, 21 Ill.Dec. 682, 381 N.E.2d 1367 (Ill.App. 1 Dist.1978), 338
- Berthiaume's Estate v. Pratt, 365 A.2d 792 (Me.1976), 168
- Biddle v. Warren Gen. Hosp., 86 Ohio St.3d 395, 715 N.E.2d 518 (Ohio 1999), 97
- Bing v. Thunig, 2 N.Y.2d 656, 163 N.Y.S.2d 3, 143 N.E.2d 3 (N.Y.1957), 241
- Bird v. Saenz, 103 Cal.Rptr.2d 131 (Cal.App. 2 Dist.2001), 157
- Bixler v. Central Pennsylvania Teamsters Health & Welfare Fund, 12 F.3d 1292 (3rd Cir.1993), 295
- Blanchard v. Kellum, 975 S.W.2d 522 (Tenn.1998), 110
- Bloskas v. Murray, 646 P.2d 907 (Colo.1982), 143
- Bogan v. Altman & McGuire, PSC, 2001 WL 201848 (Ky.App. 2001), 166
- Bond v. District Court, In and For Denver County, 682 P.2d 33 (Colo.1984), 98
- Boody v. United States, 706 F.Supp. 1458 (D.Kan.1989), 156
- Bosch v. Wilbarger General Hosp., 223 S.W.3d 460 (Tex.App.-Amarillo 2006), 163
- Bost v. Riley, 44 N.C.App. 638, 262 S.E.2d 391 (N.C.App.1980), 269

TABLE OF CASES

- Bowers v. Dept. of Transp., 360 S.C. 149, 600 S.E.2d 543 (S.C.App.2004), 202, 203
- Boyd v. Albert Einstein Medical Center, 377 Pa.Super. 609, 547 A.2d 1229 (Pa.Super.1988), 280
- Bradshaw v. Daniel, 854 S.W.2d 865 (Tenn.1993), 12
- Brandt v. Western Wisconsin Medical Associates, S.C., 2008 WL 942611 (Minn.App.2008), 57
- Brophy v. New England Sinai Hosp., Inc., 398 Mass. 417, 497 N.E.2d 626 (Mass.1986), 121, 122
- Brown v. Baptist Memorial Hospital DeSoto, Inc., 806 So.2d 1131 (Miss.2002), 73
- Brown v. Guarantee Ins. Co., 155 Cal.App.2d 679, 319 P.2d 69 (Cal.App. 2 Dist.1957), 319
- Brown v. United States, 583 F.3d 916 (6th Cir.2009), 13, 46
- Broz v. Rodriguez, 891 So.2d 1205 (Fla.App. 4 Dist.2005), 202
- Bryant v. Adventist Health System/West, 289 F.3d 1162 (9th Cir.2002), 258
- Bryant v. Bakshandeh, 226 Cal.App.3d 1241, 277 Cal.Rptr. 379 (Cal.App. 2 Dist.1991), 190
- Bucalo v. Board of Regents of University of Michigan, 432 Mich. 859, 434 N.W.2d 413 (Mich.1989), 30, 34
- Budding v. SSM Healthcare System, 19 S.W.3d 678 (Mo.2000), 232, 236
- Burns v. Hartford Hosp., 192 Conn. 451, 472 A.2d 1257 (Conn. 1984), 181, 183
- Burton v. Brooklyn Doctors Hosp., 88 A.D.2d 217, 452 N.Y.S.2d 875 (N.Y.A.D. 1 Dept.1982), 52
- Buzzell v. Libi, 340 N.W.2d 36 (N.D.1983), 118
- Byrne v. Cleveland Clinic, 684 F.Supp.2d 641 (E.D.Pa.2010), 31
- Byrne v. Boadle, 1863 WL 6189 (Ex Ct 1863), 71
- Cafazzo v. Central Medical Health Services, Inc., 542 Pa. 526, 668 A.2d 521 (Pa.1995), 263
- Calaway v. Schucker, 2008 WL 2402719 (W.D.Tenn.2008), 176
- Cangemi ex rel. Estate of Cangemi v. Cone, 774 A.2d 1262 (Pa.Super.2001), 61
- Canterbury v. Spence, 464 F.2d 772 (D.C.Cir.1972), 131, 134, 142
- Caravaggio v. D'Agostini, 166 N.J. 237, 765 A.2d 182 (N.J.2001), 181
- Cardwell v. Bechtol, 724 S.W.2d 739 (Tenn.1987), 116

TABLE OF CASES

- Carter by Carter v. University of Medicine and Dentistry of New Jersey–Rutgers Medical School, 854 F.Supp. 310 (D.N.J.1994), 197
- Chaffin v. Nicosia, 261 Ind. 698, 310 N.E.2d 867 (Ind.1974), 178
- Chamberland v. Roswell Osteopathic Clinic, Inc., 130 N.M. 532, 27 P.3d 1019 (N.M.App.2001), 152
- Chambers v. Coventry Health Care of Louisiana, Inc., 318 F.Supp.2d 382 (E.D.La.2004), 304
- Chandra, State ex rel. v. Sprinkle, 678 S.W.2d 804 (Mo.1984), 310
- Chase v. Mayor and City Council of Baltimore, 126 Md.App. 427, 730 A.2d 239 (Md.App.1999), 189
- Chatman v. Millis, 257 Ark. 451, 517 S.W.2d 504 (Ark.1975), 14
- Chew v. Paul D. Meyer, M.D., P.A., 72 Md.App. 132, 527 A.2d 828 (Md.App.1987), 37, 104
- CIGNA HealthCare of Texas, Inc. v. Calad, 540 U.S. 1175, 124 S.Ct. 1493, 158 L.Ed.2d 75 (2004), 291
- City of (see name of city)**
- Clark v. Columbia/HCA Information Services, Inc., 117 Nev. 468, 25 P.3d 215 (Nev.2001), 312
- Cleland v. United States, 874 F.2d 517 (8th Cir.1989), 203
- Clevenger v. Haling, 379 Mass. 154, 394 N.E.2d 1119 (Mass. 1979), 34
- Cobbs v. Grant, 104 Cal.Rptr. 505, 502 P.2d 1 (Cal.1972), 131
- Colby v. Schwartz, 78 Cal.App.3d 885, 144 Cal.Rptr. 624 (Cal. App. 2 Dist.1978), 188, 191
- Coleman v. Garrison, 349 A.2d 8 (Del.Supr.1975), 30
- College Station Medical Center, LLC v. Todd, 2010 WL 3434677 (Tex.App.-Waco 2010), 220
- Columbia Rio Grande Healthcare, L.P. v. Hawley, 284 S.W.3d 851 (Tex.2009), 158
- Conrad v. The Educ. Resources Institute, 652 F.Supp.2d 1172 (D.Colo.2009), 143
- Consolidated Rail Corp. v. Gottshall, 512 U.S. 532, 114 S.Ct. 2396, 129 L.Ed.2d 427 (1994), 102
- Cooper v. Ciccarelli, 2009 WL 539911 (D.Kan.2009), 61
- Cornfeldt v. Tongen, 262 N.W.2d 684 (Minn.1977), 129
- Correa Ortiz v. Mercado Sile, 2002 WL 731762 (D.Puerto Rico 2002), 254
- Costantino v. David M. Herzog, M.D., P.C., 203 F.3d 164 (2nd Cir.2000), 66

TABLE OF CASES

- Cruzan by Cruzan v. Director, Missouri Dept. of Health, 497 U.S. 261, 110 S.Ct. 2841, 111 L.Ed.2d 224 (1990), 122
- C.S. v. Nielson, 767 P.2d 504 (Utah 1988), 168
- Culbertson v. Mernitz, 602 N.E.2d 98 (Ind.1992), 130
- Curran v. Bosze, 141 Ill.2d 473, 153 Ill.Dec. 213, 566 N.E.2d 1319 (Ill.1990), 120
- Curtis v. Jaskey, 326 Ill.App.3d 90, 259 Ill.Dec. 901, 759 N.E.2d 962 (Ill.App. 2 Dist.2001), 126
- D.A.B. v. Brown, 570 N.W.2d 168 (Minn.App.1997), 136
- Dallas County Medical Society v. Ubinas Brache, 68 S.W.3d 31 (Tex.App.-Dallas 2001), 310
- Daly v. United States, 946 F.2d 1467 (9th Cir.1991), 198, 231, 253
- Danielson v. Roche, 109 Cal.App.2d 832, 241 P.2d 1028 (Cal.App. 1 Dist.1952), 118
- Darling v. Charleston Community Memorial Hospital, 33 Ill.2d 326, 211 N.E.2d 253 (Ill.1965), 264, 274
- Dearman v. Christian, 967 So.2d 636 (Miss.2007), 223, 225
- Decker v. Saini, 1991 WL 277590 (Mich.Cir.Ct.1991), 281
- Deen v. Egleston, 597 F.3d 1223 (11th Cir.2010), 177
- Depenbrok v. Kaiser Foundation Health Plan, Inc., 79 Cal. App.3d 167, 144 Cal.Rptr. 724 (Cal.App. 2 Dist.1978), 31
- Dibblee v. Dr. W.H. Groves Latter-Day Saints Hospital, 12 Utah 2d 241, 364 P.2d 1085 (Utah 1961), 263
- Dillon v. Legg, 68 Cal.2d 728, 69 Cal.Rptr. 72, 441 P.2d 912 (Cal.1968), 234
- Doe v. Community Health Plan-Kaiser Corp., 268 A.D.2d 183, 709 N.Y.S.2d 215 (N.Y.A.D. 3 Dept.2000), 96
- Doe v. Johnston, 476 N.W.2d 28 (Iowa 1991), 139
- Doe v. McKay, 183 Ill.2d 272, 233 Ill.Dec. 310, 700 N.E.2d 1018 (Ill.1998), 15
- Doe v. Noe No. 1, 303 Ill.App.3d 139, 236 Ill.Dec. 461, 707 N.E.2d 588 (Ill.App. 1 Dist.1998), 138
- Doe v. Sullivan, 938 F.2d 1370 (D.C.Cir.1991), 135
- Dorney v. Harris, 482 F.Supp. 323 (D.Colo.1980), 30
- Douglas v. United States Tobacco Co., 670 F.2d 791 (8th Cir. 1982), 203
- Dowhouer v. Judson, 2000 WL 1142469 (Pa.Com.Pl.2000), 266
- Doyle v. Shubs, 717 F.Supp. 946 (D.Mass.1989), 181

TABLE OF CASES

- Drago v. Buonagurio, 46 N.Y.2d 778, 413 N.Y.S.2d 910, 386 N.E.2d 821 (N.Y.1978), 338
- Drew v. University of Tennessee Regional Medical Center Hosp., 211 F.3d 1268 (6th Cir.2000), 262
- Dukes v. United States Healthcare, Inc., 57 F.3d 350 (3rd Cir. 1995), 289
- Duran, In re, 769 A.2d 497 (Pa.Super.2001), 128
- Duttry v. Patterson, 565 Pa. 130, 771 A.2d 1255 (Pa.2001), 124
- Eads v. Community Hosp., 932 N.E.2d 1239 (Ind.2010), 179
- Eckhardt v. Kirts, 179 Ill.App.3d 863, 128 Ill.Dec. 734, 534 N.E.2d 1339 (Ill.App. 2 Dist.1989), 14
- Ehlmann v. Kaiser Foundation Health Plan of Texas, 198 F.3d 552 (5th Cir.2000), 294
- Emory University v. Porter, 103 Ga.App. 752, 120 S.E.2d 668 (Ga.App.1961), 272
- Emory University v. Porubiansky, 248 Ga. 391, 282 S.E.2d 903 (Ga.1981), 204
- Enos v. Key Pharmaceuticals, Inc., 106 F.3d 838 (8th Cir.1997), 203
- Essex Ins. Co. v. Greenville Convalescent Home Inc., 2007 WL 1625696 (5th Cir.2007), 317
- Estate of (see name of party)**
- Estates of Milliron v. Francke, 243 Mont. 200, 793 P.2d 824 (Mont.1990), 253
- Etheridge v. Medical Center Hospitals, 237 Va. 87, 376 S.E.2d 525 (Va.1989), 333
- Evanston Ins. Co. v. Bulkley, 2005 WL 2347100 (D.N.J.2005), 318
- Faya v. Almaraz, 329 Md. 435, 620 A.2d 327 (Md.1993), 105, 138, 139
- Fein v. Permanente Medical Group, 211 Cal.Rptr. 368, 695 P.2d 665 (Cal.1985), 175
- Feinstein v. Massachusetts General Hospital, 643 F.2d 880 (1st Cir.1981), 323
- Ferguson v. Dyer, 149 Ohio App.3d 380, 777 N.E.2d 850 (Ohio App. 10 Dist.2002), 215
- Flatt ex rel. Flatt v. Kantak, 687 N.W.2d 208 (N.D.2004), 132
- Flint v. O'Connell, 254 Wis.2d 772, 648 N.W.2d 7 (Wis.App. 2002), 168

TABLE OF CASES

- Flynn v. Lockhart, 526 N.W.2d 743 (S.D.1995), 203
- Foot v. United States, 648 F.Supp. 735 (N.D.Ill.1986), 154
- Fordham v. Choi, 2009 WL 377885 (N.D.Ill.2009), 185
- Forshey v. Jackson, 222 W.Va. 743, 671 S.E.2d 748 (W.Va.2008), 325
- Fox v. Ethicon Endo-Surgery, Inc., 27 Cal.Rptr.3d 661, 110 P.3d 914 (Cal.2005), 235
- Friedl v. Airsource, Inc., 323 Ill.App.3d 1039, 257 Ill.Dec. 459, 753 N.E.2d 1085 (Ill.App. 1 Dist.2001), 235
- Gamble v. United States, 648 F.Supp. 438 (N.D.Ohio 1986), 251
- Giallanza v. Sands, 316 So.2d 77 (Fla.App. 4 Dist.1975), 10
- Gilbert v. Middlesex Hosp., 58 Conn.App. 731, 755 A.2d 903 (Conn.App.2000), 79
- Gilbert v. Miodovnik, 990 A.2d 983 (D.C.2010), 228
- Gile v. Kennewick Public Hospital Dist., 48 Wash.2d 774, 296 P.2d 662 (Wash.1956), 263
- Gills v. United States, 2010 WL 1444590 (W.D.Va.2010), 159
- Gilmore v. O'Sullivan, 106 Mich.App. 35, 307 N.W.2d 695 (Mich. App.1981), 57
- Ginsberg v. Northwest Medical Center, Inc., 2009 WL 1872609 (Fla.App. 4 Dist.2009), 224
- Goldberg v. Boone, 396 Md. 94, 912 A.2d 698 (Md.2006), 124
- Gordon v. Glass, 66 Conn.App. 852, 785 A.2d 1220 (Conn.App. 2001), 60
- Grant v. American Nat. Red Cross, 745 A.2d 316 (D.C.2000), 158
- Grass v. Field, 2001 WL 969009 (8th Cir.2001), 29
- Green v. Walker, 910 F.2d 291 (5th Cir.1990), 15
- Greenspan, In re Estate of, 137 Ill.2d 1, 146 Ill.Dec. 860, 558 N.E.2d 1194 (Ill.1990), 120
- Griswold v. Connecticut, 381 U.S. 479, 85 S.Ct. 1678, 14 L.Ed.2d 510 (1965), 109
- Grubbs ex rel. Grubbs v. Barbourville Family Health Center, P.S.C., 120 S.W.3d 682 (Ky.2003), 168
- Guardianship of (see name of party)**
- Guilmet v. Campbell, 385 Mich. 57, 188 N.W.2d 601 (Mich.1971), 34
- Hale v. Venuto, 137 Cal.App.3d 910, 187 Cal.Rptr. 357 (Cal.App. 4 Dist.1982), 74
- Hall v. Carter, 825 A.2d 954 (D.C.2003), 197

TABLE OF CASES

- Hall v. Hilbun, 466 So.2d 856 (Miss.1985), 47
- Halley v. Birbiglia, 390 Mass. 540, 458 N.E.2d 710 (Mass.1983), 129
- Harnish v. Children's Hosp. Medical Center, 387 Mass. 152, 439 N.E.2d 240 (Mass.1982), 141
- Harrell v. Total Health Care, Inc., 1989 WL 153066 (Mo.App. W.D.1989), 282
- Harris v. Soha, 2009 WL 2049173 (Fla.App. 1 Dist.2009), 188
- Harry v. Marchant, 291 F.3d 767 (11th Cir.2002), 258
- Hawes v. Chua, 769 A.2d 797 (D.C.2001), 46
- Hawkins v. McGee, 84 N.H. 114, 146 A. 641 (N.H.1929), 36
- Hector v. Cedars-Sinai Medical Center, 180 Cal.App.3d 493, 225 Cal.Rptr. 595 (Cal.App. 2 Dist.1986), 263
- Heffern v. Univ. of Cincinnati Hosp., 142 Ohio App.3d 44, 753 N.E.2d 951 (Ohio App. 10 Dist.2001), 242
- Helling v. Carey, 83 Wash.2d 514, 519 P.2d 981 (Wash.1974), 40
- Henderson v. Heyer-Schulte Corp. of Santa Barbara, 600 S.W.2d 844 (Tex.Civ.App.-Hous (1 Dist.) 1980), 42
- Henry v. Obstetrics and Gynecology Consultants, P.C., 2002 WL 199723 (Tenn.Ct.App.2002), 47
- Hernandez v. United States, 465 F.Supp. 1071 (D.Kan.1979), 120
- Herskovits v. Group Health Co-op. of Puget Sound, 99 Wash.2d 609, 664 P.2d 474 (Wash.1983), 157
- Hill v. Evans, 1993 WL 595676 (M.D.Ala.1993), 107
- Hinchman v. Gillette, 217 W.Va. 378, 618 S.E.2d 387 (W.Va. 2005), 325
- H. L. v. Matheson, 450 U.S. 398, 101 S.Ct. 1164, 67 L.Ed.2d 388 (1981), 116
- Hoffman v. United States, 767 F.2d 1431 (9th Cir.1985), 332
- Hollmann v. Putman, 260 Ill.App.3d 737, 198 Ill.Dec. 672, 633 N.E.2d 134 (Ill.App. 3 Dist.1994), 30, 46
- Hondroulis v. Schuhmacher, 553 So.2d 398 (La.1988), 109, 112, 131
- Horne v. Patton, 291 Ala. 701, 287 So.2d 824 (Ala.1973), 96
- Horner v. Northern Pac. Beneficial Ass'n Hospitals, Inc., 62 Wash.2d 351, 382 P.2d 518 (Wash.1963), 77
- Hoven v. Kelble, 79 Wis.2d 444, 256 N.W.2d 379 (Wis.1977), 236
- Howard Regional Health System v. Gordon, 925 N.E.2d 453 (Ind.App.2010), 273
- Howell v. Hamilton Meats & Provisions, Inc., 101 Cal.Rptr.3d 805 (Cal.App. 4 Dist.2009), 174

TABLE OF CASES

Huag, *In re*, 175 S.W.3d 449 (Tex.App.-Hous. (1 Dist.) 2005), 316
Hunnicut v. Wright, 986 F.2d 119 (5th Cir.1993), 223

Ingram v. Muskogee Regional Medical Center, 235 F.3d 550
(10th Cir.2000), 260

In re (see name of party)

Insurance Co. of North America v. Medical Protective Co., 768
F.2d 315 (10th Cir.1985), 319

Jackovach v. Yocom, 212 Iowa 914, 237 N.W. 444 (Iowa 1931),
120, 133

Jackson v. East Bay Hosp., 246 F.3d 1248 (9th Cir.2001), 259

Jackson v. Power, 743 P.2d 1376 (Alaska 1987), 249

Jackson v. Qureshi, 277 Va. 114, 671 S.E.2d 163 (Va.2009), 55

Jackson v. Taylor, 912 F.2d 795 (5th Cir.1990), 172

Jackson v. United States, 881 F.2d 707 (9th Cir.1989), 335

Jass v. Prudential Health Care Plan, Inc., 88 F.3d 1482 (7th
Cir.1996), 288

Johnson v. LeBonheur Children's Medical Center, 74 S.W.3d 338
(Tenn.2002), 242

Johnson v. Ruark Obstetrics and Gynecology Associates, P.A.,
327 N.C. 283, 395 S.E.2d 85 (N.C.1990), 101

Johnson v. St. Vincent Hospital, Inc., 273 Ind. 374, 404 N.E.2d
585 (Ind.1980), 179

Johnson v. Vaughn, 370 S.W.2d 591 (Ky.1963), 23

Johnson v. Woman's Hospital, 527 S.W.2d 133 (Tenn.Ct.App.
1975), 103

Jones v. Chicago HMO Ltd. of Illinois, 191 Ill.2d 278, 246 Ill.Dec.
654, 730 N.E.2d 1119 (Ill.2000), 282

Jon N. v. Blue Cross Blue Shield of Massachusetts, 684
F.Supp.2d 190 (D.Mass.2010), 304

Jorgenson v. Vener, 616 N.W.2d 366 (S.D.2000), 157

Jurinko v. Medical Protective Co., 2008 WL 5378011 (3rd Cir.
2008), 320

Justus v. Atchison, 139 Cal.Rptr. 97, 565 P.2d 122 (Cal.1977),
102

K.A.C. v. Benson, 527 N.W.2d 553 (Minn.1995), 105

Kampelman v. Codman & Shurteef, Inc., 2009 WL 2382775
(E.D.Mo.2009), 231

Karas v. Jackson, 582 F.Supp. 43 (E.D.Pa.1983), 214, 222

TABLE OF CASES

- Karibjanian v. Thomas Jefferson University Hosp., 717 F.Supp. 1081 (E.D.Pa.1989), 232
- Kassama v. Magat, 136 Md.App. 637, 767 A.2d 348 (Md.App. 2001), 167
- Kavanaugh by Gonzales v. Nussbaum, 71 N.Y.2d 535, 528 N.Y.S.2d 8, 523 N.E.2d 284 (N.Y.1988), 228
- Keene v. Brigham and Women's Hosp., Inc., 439 Mass. 223, 786 N.E.2d 824 (Mass.2003), 210
- Keene v. Wiggins, 69 Cal.App.3d 308, 138 Cal.Rptr. 3 (Cal.App. 4 Dist.1977), 16
- Keeton v. Mansfield Obstetrics & Gynecology Associates, Inc., 1981 WL 36207 (N.D.Ohio 1981), 333
- Kennedy v. Parrott, 243 N.C. 355, 90 S.E.2d 754 (N.C.1956), 118
- Kerins v. Hartley, 33 Cal.Rptr.2d 172 (Cal.App. 2 Dist.1994), 138
- Kershak v. Pennsylvania Hosp., 1995 WL 50056 (E.D.Pa.1995), 29
- Keyes v. Humana Hosp. Alaska, Inc., 750 P.2d 343 (Alaska 1988), 324
- Killingsworth v. Poon, 167 Ga.App. 653, 307 S.E.2d 123 (Ga.App. 1983), 61
- Kina v. United Air Lines, Inc., 2008 WL 5071045 (N.D.Cal.2008), 146
- Kirk v. Michael Reese Hosp. and Medical Center, 117 Ill.2d 507, 111 Ill.Dec. 944, 513 N.E.2d 387 (Ill.1987), 234
- Kitto v. Gilbert, 39 Colo.App. 374, 570 P.2d 544 (Colo.App.1977), 218, 230
- Klein v. Miller, 2004 WL 1118725 (W.D.Tex.2004), 219
- Koapke v. Herfendal, 660 N.W.2d 206 (N.D.2003), 129
- Landeros v. Flood, 131 Cal.Rptr. 69, 551 P.2d 389 (Cal.1976), 63
- Largess v. Tatem, 130 Vt. 271, 291 A.2d 398 (Vt.1972), 226
- Largey v. Rothman, 110 N.J. 204, 540 A.2d 504 (N.J.1988), 131
- Law v. Camp, 116 F.Supp.2d 295 (D.Conn.2000), 274
- Leach v. Drummond Medical Group, Inc., 144 Cal.App.3d 362, 192 Cal.Rptr. 650 (Cal.App. 5 Dist.1983), 24
- Leal v. Hobbs, 245 Ga.App. 443, 538 S.E.2d 89 (Ga.App.2000), 274
- Lebron v. Gottlieb Memorial Hosp., 237 Ill.2d 217, 341 Ill.Dec. 381, 930 N.E.2d 895 (Ill.2010), 331
- Lecture v. Dyll, 65 S.W.3d 696 (Tex.App.-Dallas 2001), 9

TABLE OF CASES

- Lee v. Trinity Lutheran Hosp., 2004 WL 212548 (W.D.Mo.2004), 309
- Lewis v. Physicians Ins. Co. of Wisconsin, 243 Wis.2d 648, 627 N.W.2d 484 (Wis.2001), 221
- Liberty Ins. Underwriters, Inc. v. Camden Clark Memorial Hosp. Corp, 2009 WL 4825199 (S.D.W.Va.2009), 317
- Lininger By and Through Lininger v. Eisenbaum, 764 P.2d 1202 (Colo.1988), 167
- Longeway, In re Estate of, 133 Ill.2d 33, 139 Ill.Dec. 780, 549 N.E.2d 292 (Ill.1989), 120
- Longman v. Jasiek, 91 Ill.App.3d 83, 46 Ill.Dec. 636, 414 N.E.2d 520 (Ill.App. 3 Dist.1980), 18
- Lopez-Soto v. Hawayek, 175 F.3d 170 (1st Cir.1999), 257
- Lugenbuhl v. Dowling, 701 So.2d 447 (La.1997), 109
- Lynch v. Bryant, 985 F.2d 560 (6th Cir.1993), 198
- MacDonald v. Clinger, 84 A.D.2d 482, 446 N.Y.S.2d 801 (N.Y.A.D. 4 Dept.1982), 96
- Maguire v. Taylor, 940 F.2d 375 (8th Cir.1991), 76
- Majca v. Beekil, 183 Ill.2d 407, 233 Ill.Dec. 810, 701 N.E.2d 1084 (Ill.1998), 139
- Maki v. Murray Hospital, 91 Mont. 251, 7 P.2d 228 (Mont.1932), 72
- Maniaci v. Marquette University, 50 Wis.2d 287, 184 N.W.2d 168 (Wis.1971), 93
- Marcus v. Liebman, 59 Ill.App.3d 337, 16 Ill.Dec. 613, 375 N.E.2d 486 (Ill.App. 1 Dist.1978), 92
- Marina Emergency Medical Group v. Superior Court, 100 Cal. Rptr.2d 866 (Cal.App. 2 Dist.2000), 196
- Marquis v. Battersby, 443 N.E.2d 1202 (Ind.App. 4 Dist.1982), 77
- Martell v. St. Charles Hosp., 523 N.Y.S.2d 342 (N.Y.Sup.1987), 248
- Massey v. Mercy Medical Center Redding, 103 Cal.Rptr.3d 209 (Cal.App. 3 Dist.2009), 61
- Mastro v. Brodie, 682 P.2d 1162 (Colo.1984), 177, 182, 186
- Matter of (see name of party)**
- Mattocks v. Bell, 194 A.2d 307 (D.C.App.1963), 87
- Mazza v. Huffaker, 61 N.C.App. 170, 300 S.E.2d 833 (N.C.App. 1983), 103
- McCarthy v. Boston City Hospital, 358 Mass. 639, 266 N.E.2d 292 (Mass.1971), 65

TABLE OF CASES

- McCullough v. Bethany Medical Center, 235 Kan. 732, 683 P.2d 1258 (Kan.1984), 204
- McDaniel v. Keck, 53 A.D.3d 869, 861 N.Y.S.2d 516 (N.Y.A.D. 3 Dept.2008), 189
- McDermott v. Manhattan Eye, Ear and Throat Hospital, 15 N.Y.2d 20, 255 N.Y.S.2d 65, 203 N.E.2d 469 (N.Y.1964), 59
- McGraw v. United States, 281 F.3d 997 (9th Cir.2002), 181
- McKenna v. Cedars of Lebanon Hospital, 93 Cal.App.3d 282, 155 Cal.Rptr. 631 (Cal.App. 2 Dist.1979), 188
- McPhearson v. Sullivan, 463 S.W.2d 174 (Tex.1971), 172
- McVay v. Rich, 18 Kan.App.2d 746, 859 P.2d 399 (Kan.App. 1993), 270
- Mead v. Legacy Health System, 231 Or.App. 451, 220 P.3d 118 (Or.App.2009), 9
- Medical Malpractice Joint Underwriting Ass'n of Rhode Island v. Paradis, 756 F.Supp. 669 (D.R.I.1991), 336
- Menzie v. Windham Community Memorial Hosp., 774 F.Supp. 91 (D.Conn.1991), 244, 251
- Mielke v. Condell Memorial Hosp., 124 Ill.App.3d 42, 79 Ill.Dec. 78, 463 N.E.2d 216 (Ill.App. 2 Dist.1984), 70
- Miller v. Milton Hosp. & Medical Center, Inc., 54 Mass.App.Ct. 495, 766 N.E.2d 107 (Mass.App.Ct.2002), 310
- Millsaps v. Bankers Life Co., 35 Ill.App.3d 735, 342 N.E.2d 329 (Ill.App. 2 Dist.1976), 98
- Mitchell v. Gonzales, 1 Cal.Rptr.2d 913, 819 P.2d 872 (Cal.1991), 149
- Mohr v. Williams, 95 Minn. 261, 104 N.W. 12 (Minn.1905), 117
- Moller v. North Shore University Hosp., 800 F.Supp. 1103 (E.D.N.Y.1992), 198, 204
- Monfort v. Colquitt County Hosp. Authority, 288 Ga.App. 202, 653 S.E.2d 535 (Ga.App.2007), 182
- Montagnon v. Pfizer, Inc., 2006 WL 2349621 (D.Conn.2006), 234
- Moore v. Regents of University of California, 271 Cal.Rptr. 146, 793 P.2d 479 (Cal.1990), 135
- Moran v. Buchwald, 2008 WL 4706306 (Minn.App.2008), 177
- Moran v. Napolitano, 71 N.J. 133, 363 A.2d 346 (N.J.1976), 182
- Morgan v. Cohen, 309 Md. 304, 523 A.2d 1003 (Md.1987), 202
- Morowitz v. Marvel, 423 A.2d 196 (D.C.1980), 336
- Morris v. Metriyakool, 418 Mich. 423, 344 N.W.2d 736 (Mich. 1984), 206, 329