Litigation Center cases

The Litigation Center is always looking for new and interesting cases to support. On this page, you will find some of our current cases.

For more information on how to partner with the Litigation Center, visit the case selection criteria page.

Litigation Center case selection criteria

Case selection criteria

Physician tort liability

- Bell vs. Chance (Md. CtApp) Standard of care for psychiatrist’s release of patient from involuntary confinement
- Davis vs. Armacost (Md. CtApp) Jury instructions on standard of care
- Doe vs. Cochran (Conn. SCt) Physician’s professional liability to a non-patient
- Gunn vs. McCoy (Texas SCt) Sufficiency of evidence to prove proximate cause
- Accutane litigation (N.J. SCt) Exclusion of evidence based on “junk science”
- Shikora vs. Mitchell (Pa. SCt) Trial court discretion to determine relevance of evidence
- Nicolaou vs. Martin (Pa. SCt) Application of statute of limitations
- Phatak vs. Dean (5th Cir) Immunity of coroner for autopsy report
- Reyes vs. Yakima (Wash. SCt) Sufficiency of expert testimony

Tort reform cases

- Capanna vs. Orth (Nev. SCt) Validity of collateral source payments statute
- Claycomb v. Commonwealth of Kentucky (KY CtApp) Validity of health law courts statute
- Mayo vs. Wisconsin Injured Patients Families Compensation Fund (Wis. SCt) Validity of statutory cap on damages
- Trowell vs. Providence Hospital (Mich. SCt) Failure to meet suit requirements imposed by tort reform law

URL: https://www.ama-assn.org/health-care-advocacy/judicial-advocacy/litigation-center-cases

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Scope of practice cases

- Texas Medical Association vs. Texas Board of Chiropractic Examiners (Texas CtApp) Validity of Chiropractic Board scope of practice rule

Medical staff self-governance cases

- Tulare Hospital Medical Staff vs. Tulare Regional Hospital (Calif. SuperCt) Hospital’s unilateral discharge of medical staff officers and replacement of medical staff bylaws

Medicare/Medicaid cases

- Averett vs. U.S. Department of HHS (MDist. Tenn.) Validity of HHS regulations under Medicaid Enhanced Payment Statute
- Nitta vs. Hawaii Department of HHS (Hawaii Intermed.Ct.App.) Audit of payments made under Medicaid Enhanced Payment Statute

Antitrust cases

- Miranda vs. Laredo Specialty Hospital (Texas DistCt) Suspension of medical staff privileges to eliminate competitor to hospital services
- Ohio vs. American Express (SCt) Legality of network anti-steering prohibitions

Health insurance regulation cases

- Connecticut Campaign Consumer Choice vs. Connecticut Commissioner of Insurance (Conn. Super. CT.) FOIA request to Insurance Commissioner

Peer review cases

- Brugaletta vs. Garcia (N.J. SCt) Privilege claim against discovery of hospital patient safety report
- Daley vs. Teruel Ingalls Hospital (Ill. Ct.App.) Privilege claim against discovery of hospital patient safety report
- Reginelli vs. Boggs (Pa. SCt.) Privilege claim against discovery of independent contractor review of physician on hospital medical staff
Health insurance companies cases

- Capital Health Systems vs. Horizon Healthcare Services (N.J. Super Ct) Breach of contract by imposing tiered network

Case finder

- Search cases either by topic or by specific case name