

Massachusetts
Medical Law Report
Legal news for the medical community

Volume 36, No. 1
October 2013
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STOPPING DISRUPTIVE PHYSICIAN BEHAVIOR
Hospitals must revise policies under new standard

Doctor can be sued for patient's lost chance of survival
Rare criminal case over patient care has physicians concerned

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Charlie Baker, Andy Whittemore, Sen. Richard Moore are among the winners at October 31 breakfast
See inside for a complete list of honorees

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What we cover

- Reports on medical malpractice verdicts and settlements across the state
- News and feature articles in areas of interest for physicians and health-care providers, including non-compete agreements, medical staff privileges and pharmaceutical products liability
- A regular column on risk management issues for medical professionals
- Updates on HIPAA, Medicare, and other federal and state regulations
- Case law summaries – written in a clear, easy-to-digest manner – of appellate cases affecting the medical profession
- Tips from business lawyers and consultants on medical practice management
- Estate and wealth planning advice from attorneys familiar with the industry
- Articles about the court process and how to testify as an expert witness
- Articles contributed from physicians and others in the medical-legal profession on practice tips, substantive law and career development

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Verdicts & Settlements

Doctors fight 'unfair, offensive' Board of Registration proposals
Charges stem in aftermath of restoration hearing

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New e-prescribing regulations applauded by doctors, lawyers

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– R.P. MD, Medical Director
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– H.M. M.D., Ph.D.

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Verdicts & Settlements

Radiologist could assume staff would communicate findings

The patient's attorney argued that the radiologist should have assumed that the staff would communicate the findings to the patient's physician. The court ruled in favor of the patient, finding that the radiologist had a duty to ensure that the findings were communicated to the physician.

Parents, physicians settle over missed cystic fibrosis in fetus

The parents of a child with cystic fibrosis settled with the physician who missed the diagnosis during a prenatal ultrasound. The settlement covers the cost of the child's medical care and the physician's legal fees.

Doctors fight 'unfair, offensive' Board of Registration proposals

The Massachusetts Board of Registration in Medicine is proposing new rules for the licensure of physicians. The rules are being challenged by the Massachusetts Medical Society, which argues that the rules are unfair and offensive to the profession.

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Readers of the Massachusetts Medical Law Report can now earn continuing medical education (CME) credits. The program is designed to help physicians stay up-to-date on the latest legal developments in their field.

New pre-prescribing regulations applauded by doctors, lawyers

The new pre-prescribing regulations, which require physicians to obtain a prescription before prescribing controlled substances, have been widely praised by both doctors and lawyers. The regulations are seen as a necessary step to reduce the risk of prescription drug abuse.

Research Ethics

Guidelines for researchers and clinicians regarding the ethical treatment of human subjects in research.

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