



Hospital Liability Law (Legal Almanac Series)

Margaret C. Jasper

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Hospital Liability Law explores the area of law known generally as "hospital liability," the duties and responsibilities a hospital owes to its patients, and the theories under which a hospital may be held liable, including negligence; lack of informed consent and/or informed refusal; unauthorized treatment which may lead to a cause of action for battery; breach of privacy for the unauthorized release of a patient's medical record; and breach of contract. This almanac also discusses the responsibility of the hospital for the actions of its employees, including physicians, residents, interns, nurses, hospitals, mental health professionals, anesthesiologists, and other persons who provide medical care.

This almanac examines the elements necessary to prove the various theories of liability that support a prima facie hospital malpractice claim, the defenses to such claims, the litigation procedures unique to medical malpractice, the responsible parties and apportionment of liability, and the damages recoverable. The Appendix provides applicable statutes, resource directories, and other pertinent information and data. The Glossary contains definitions of many of the terms used throughout the almanac.

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