

Examples of Claims against Health Care Organizations

Discrimination / Staff Privileges

Insured:	Health Care Corporate Parent, its subsidiaries and their respective Directors and Officers
Plaintiff:	An Orthopedic Surgeon
Defendants:	Health Care Corporate Parent and its subsidiaries Medical Center and HMO Plan. Also named are the Parent's Executive Vice President, Senior Vice President for Professional Affairs and Medical Director.
Cause of Action:	Discrimination / Violation of Americans With Disabilities Act (ADA)
Facts / Allegations:	Upon disclosure by a physician that he was HIV positive, the Medical Center restricted the physician's surgical privileges requiring that he advise each patient of his HIV status prior to performing any invasive procedures. (Non-surgical privileges were not impacted.) The plaintiff filed suit in Federal Court alleging that this restriction violated the ADA and constituted discrimination pursuant to Equal Employment Opportunity Commission (EEOC) standards.
Results:	Defendants' Motion for Summary Judgment was partially granted and the parties ultimately agreed to a settlement in excess of \$150,000. Defense expenses, however, approached \$450,000.