

Peer Review & Patient Safety Protections: The Impact of Recent Court Decisions and Preservation Strategies

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Pennsylvania appellate law addressing the peer review and patient safety protections is complicated and continues to evolve. Over the past two to three years, Pennsylvania appellate courts have slowly, but consistently, chipped away at the peer review and patient safety protections that hospitals and healthcare providers have enjoyed for decades. Although the peer review and patient safety protections have not been abrogated, courts narrowly restrict their application. Hospitals now have the burden of establishing a record of facts demonstrating that the peer review and patient safety protections are properly invoked. As a consequence, the internal committee structures and practices of hospitals will be highly scrutinized by the court.

Healthcare partner Dan Ferhat's presentation helps risk managers and their in-house teams navigate the complex legal landscape, post-*Ungurian*, with an eye toward maximizing and preserving the peer review and patient safety protections. This includes practical tips that can be employed before litigation *and* during litigation, including about building a legal record to preserve the protections.

KEY ATTORNEYS

Daniel J. Ferhat

PRACTICE AREAS

Appellate

