

## PROFESSIONAL MALPRACTICE DEFENSE

### DEFENDING PROFESSIONAL MALPRACTICE LAWSUITS

### CLAIMS ASSESSMENT & INVESTIGATION

### RISK MANAGEMENT

### ALTERNATIVE DISPUTE RESOLUTION

### DEPARTMENT OF HEALTH INVESTIGATIONS & DISCIPLINARY PROCEEDINGS

### MONITOR LITIGATION FOR EXCESS CARRIERS

### PREPARE WITNESSES FOR DEPOSITION & TRIAL TESTIMONY

### PRACTICE MEMBERS

DAVID W. CARROLL  
DENNIS E. CARLEY  
JAMES D. CULLEN  
ROBERT P. LANDAU  
JOHN D. PLUMMER  
KRISTIN B. PETTEY  
JASON C. PRECIPHS  
ELIZABETH A. SUEVER

Roberts, Carroll, Feldstein & Peirce's Professional Malpractice Defense Team is the largest and most successful in Rhode Island and Southeastern Massachusetts. Our lawyers have tried and prevailed in more medical malpractice jury trials than any other firm in the area. Doctors, long term care facilities, practice groups, hospitals and other professionals facing professional negligence claims turn to our team because of its experience and results with the knowledge that our attorneys will provide them with the most robust and resourceful defense possible.

In addition to litigating professional liability cases, our attorneys counsel health care providers, hospitals and other professionals in the area of risk management. We help clients craft policies and procedures to minimize liability and avoid litigation. We also keep them abreast of developments in the law and educate their employees through regular presentations and seminars.

When matters are not suitable for trial, we work with our clients to resolve these expeditiously and cost effectively through alternative dispute resolution, including mediation. We also assist hospitals and health care providers investigate and assess claims pre-suit, which enables them to better manage their risk.

Our attorneys also represent professionals in credentialing, licensing, and disciplinary actions before the various state regulatory boards, including the Board of Medical Licensure & Discipline.

### REPRESENTATIVE TRANSACTIONS, DEALS OR MATTERS

- Presently acting as co-chief defense counsel in class action pending Rhode Island's trial court involving fifty defendants regarding the use of intrauterine devices.
- Advised two hospital chains comprising a majority of hospital institutions in Rhode Island regarding implementation of the federal Patient Safety and Quality Improvement Act of 2005 and the Rhode Island Patient Safety Act.
- After four week jury trial, obtained a defense verdict for a gastroenterologist who was alleged to have failed to properly diagnose and treat an infection which ultimately led to the loss of the plaintiff's eye.
- Advised hospitals regarding their obligations under the Emergency Medical Treatment and Active Labor Act (EMTALA).

- Successfully represented hospital and obstetrician in proceeding before the family court concerning the hospital's ability to provide blood products to a pregnant minor, whose parents objected on 1<sup>st</sup> amendment grounds.
- Secured a dismissal without payment on behalf of an obstetrician of a lawsuit, which alleged that the doctor had failed to properly manage labor and delivery of a patient in preterm labor and that a result the child had significant impairments including cerebral palsy and optic nerve damage
- Secured the dismissal of a case against physicians and a hospital in a matter in which a plaintiff was claiming severe permanent injuries because of negligent discharge from a hospital.
- Successfully defended a hand surgeon in a three week trial in federal court.
- Received a defense verdict for a general surgeon in a case arising out of bowel perforation where the plaintiff sought \$2,000,000 from the jury.

## PRESENTATIONS & PUBLICATIONS

- *Food for Thought – Privilege Logs*, Rhode Island Bar Association, December 2 & 9, 2009
- *White Caps: Navigating Risk in the Nursing Profession*, UNAP/Rhode Island Hospital Health Care Education Trust Continuing Education Program, March 18, 2010
- *Anywhere But Here: How To Save Yourself From A Disastrous Deposition*, University Emergency Medicine Foundation Faculty/Resident Education, November 17, 2010
- *Cases & Claims: Lessons Learned From Radiology Malpractice Lawsuits*, September 21, 2010
- *Informed Consent for Medical Practice Administrators*, Women & Infants Hospital Practice Managers Conference, November 1, 2011; Kent Hospital Practice Managers Conference, June 14, 2011.
- *Your Practice and RI Mental Health Law: Navigating the Waters*, Rhode Island Psychological Association, April 8, 2011.
- *Medical Battery*, Kent Hospital Risk Management Educational Session, April 14, 2011.
- *Appearing Before the Rhode Island Board of Medical Licensure and Discipline*, Kent Hospital Risk Management Educational Session, March 10, 2011.
- *Electronic Medical Records*, 6th Annual Risk Management Pediatric Conference: Women & Infants Hospital, November 7, 2009.
- *Best Practices: Avoiding and Defending Malpractice Suits and Claims*, Care New England Risk Management, Risk Management Pediatric Conference, , November 5, 2011
- *Tips on Testifying As An Expert Witness Butler Hospital*, Psychiatry Residents Seminar, annually since 2007

- *Never Say Never Events*, South County Hospital, Care New England, Kent Hospital
- *Reporting Abuse In Rhode Island*, Care New England Conference, April 10, 2008
- *Everything You Wanted to Know About the Litigation Process But Were Afraid to Ask*, Care New England Conference, Perinatal Management Conference, Everything, January 9, 2008