



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. PRECIPHUS

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

- Recently acted 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 1st 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

- *Lifespan Risk Services Legal Defense Boot Camp Seminar, "Electronic Fetal Monitoring: Strip Interpretation and Legal Strategies*, Rhode Island Hospital, 8/15/17
- *When Medicine and Religion Collide: Treating Jehovah's Witness Patients*, Care New England, Kent Hospital, 3/28/17
- *Advance Directives & Opioid Management*, Westerly Hospital, MRM Group, Seminar for Westerly Hospital providers, 2/17/17
- *Rhode Island Mental Health & the Law 2017*, Sheraton Providence Airport Hotel, Providence, PESI, Inc. Seminar for Practicing Mental Health Providers, 1/27/17
- *Addressing Confidentiality and Disclosure Issues: Behavioral Health Professionals in Primary Care*, The Rhode Island Quality Institute, Care Transformation Collaborative-Rhode Island Seminar, 10/13/16
- *Rhode Island Mental Health & the Law 2016*, Providence Hilton Hotel, Providence, PESI, Inc. Seminar for Practicing Mental Health Providers, 2/12/16
- Lifespan Risk Services Seminar, *"The Last Place I Want to Be...": A Mock Deposition Experience*, Rhode Island Hospital, 11/20/2015
- *Lifespan Risk Rounds Seminar*, Lifespan Outpatient Medicine providers, Rhode Island Hospital, 7/16/2015
- *Death Certificate Seminar*, Care New England, Kent Hospital, 2/12/15
- *Panel Discussion relating to Health Privacy Laws in Rhode Island*, Rhode Island Executive Office of Health and Human Services/Healthcentric Advisors Seminar, 11/13/14
- *Rhode Island Mental Health & the Law 2014*, Marriott Hotel, Providence, PESI, Inc. Seminar for Practicing Mental Health Providers, 10/16/14
- *Ethics & Risk Management: The Legal Perspective for Health Ed*, Radison Hotel Warwick, Practicing Mental Health Providers, 11/14/13
- *Risk Management in Social Work: Legal and Ethical Issues and Strategies*,

Rhode Island College, Practicing Social Worker Seminar, 9/27/13

- *Best Practices: Avoiding and Defending Malpractice Suits and Claims*, Care New England Risk Management, Risk Management Pediatric Conference, , 11/5/11
- *Cases & Claims: Lessons Learned From Radiology Malpractice Lawsuits*, 9/21/2010 Informed Consent for Medical Practice Administrators, Women & Infants Hospital Practice Managers Conference, 11/1/11; Kent Hospital Practice Managers Conference, 6/14/11
- *Your Practice and Rhode Island Mental Health Law: Navigating the Waters*, Rhode Island Psychological Association, 4/8/11
- *Tips on Testifying as an Expert Witness*, Butler Hospital Psychiatry Residents Seminar, annually since 2007