



Kamelgard v. American College of Surgeons (Ill. App.Ct.)

Topics Covered: Peer Review

Outcome: Very Favorable

Issue

The issue in this case was whether a medical association could protect the identities of physicians who participated in an ethical investigation of one of its members.

AMA Interest

The AMA believes that medical associations should be entitled to establish reasonable ethical standards that require integrity in the rendition of expert witness testimony. It also supports the confidentiality of medical peer review proceedings, including proceedings within the medical associations themselves.

Case Summary

Joseph Kamelgard, MD, a member of the American College of Surgeons (ACS), sued ACS to discover the identities of three physicians who had participated in an ACS ethical investigation of him. The investigation had been brought about by Dr. Kamelgard's allegedly unfounded expert witness testimony in a medical malpractice lawsuit against another ACS member.

The trial court dismissed Dr. Kamelgard's lawsuit for a variety of reasons, including the protections afforded by the Illinois peer review confidentiality law. Dr. Kamelgard appealed, and the Illinois Appellate Court affirmed.

Litigation Center Involvement

The Litigation Center and the Illinois Medical Society filed an *amicus curiae* brief to support ACS.

Illinois Court of Appeals brief