



# N.N.V. v. American Association of Blood Banks, 89 Cal.Rptr.2d 885 (California Ct. App. 1999)

Topics Covered: Blood Banks

## **Outcome: Very Favorable**

The Litigation Center joined the California Medical Association, the American College of Radiology, the American College of Surgeons, the College of American Pathologists, the American Association of Tissue Banks, the American Society of Association Executives, and the National Fire Protection Association in an amicus curiae brief supporting the American Association of Blood Banks (AABB) in a case involving the voluntary standards and guidelines the AABB recommended to blood banks. Amici argued that AABB and other private, non-profit associations that perform quasi-public standard setting functions in good faith should not be subject to liability for this activity and should be granted qualified immunity for undertaking such activities.

The California Court of Appeals concurred with the arguments in the Litigation Center brief. The court held that the AABB owed no duty to the plaintiff and, even if it did, that duty had been met. The AABB acted according to the best scientific information available in prescribing a regimen for blood transfusions. The recommended protocol had been reasonable, and plaintiff's contraction of AIDS could not have been prevented through another protocol.