



Satilla Health Services v. Bell, 633 S.E.2d 575 (Ga. Ct. App. 2006)

Topics Covered: Medical Staff, Hospitals

Outcome: Very Favorable

Issue

The issue in these two related cases was whether a hospital can “close” its cardiology department without authorization to do so in the medical staff bylaws.

AMA Interest

The AMA supports the enforceability of medical staff bylaws by medical staff members.

Case Summary

Satilla Regional Medical Center is a publicly owned small-town hospital in southeastern Georgia. Until the events leading up to these lawsuits, it had twelve cardiologists on staff. Under the hospital’s medical staff bylaws, rules, and regulations, the cardiologists were collectively responsible for providing 24 hours a day, 7 days a week emergency “call” coverage.

Two of the cardiologists worked at Satilla Hospital on a full time basis and were deemed part of the “active” medical staff. The other ten cardiologists only occasionally admitted their patients to the hospital and were deemed part of the “affiliate” medical staff. The full time cardiologists indicated that they would like to bring a third full time cardiologist into the hospital to assist them in their duties, but they would like the hospital to pay a portion of the expense of doing so. The cardiologists and the hospital tried to negotiate a suitable financial arrangement, but they were unsuccessful.

Following the breakdown in the negotiations, the hospital announced that it would be entering into an exclusive contract for cardiology services with a group of physicians based in Jacksonville, Florida. It then revoked the privileges of the two active medical staff cardiologists and subsequently the ten affiliate medical staff cardiologists. This was against both the provisions of the medical staff bylaws and the sentiments of the overwhelming majority of the medical staff as a whole. Shortly after the hospital revoked the staff privileges of its cardiologists, the Jacksonville group of cardiologists announced that they were unable to find cardiologists to staff the hospital.

In two separate lawsuits, the active staff cardiologists and the affiliate staff cardiologists secured temporary injunctions to restore their privileges during the pendency of the lawsuit. Had they been unable to do so, the hospital would have been left with no cardiologists, active or affiliate, on its medical staff. Nonetheless, the hospital appealed the temporary injunctions.

On June 23, 2006, the Georgia Court of Appeals affirmed the injunctions that had been entered for both the active staff and the affiliate staff cardiologists. The court held that a hospital cannot deprive the physicians on its medical staff of access to its facilities and resources, unless the hospital reserved the right to do so in its bylaws or in a contract with the individual physicians in question. On September 18, 2006, the Supreme Court of Georgia declined to hear the cases.

Litigation Center Involvement

The Litigation Center and the Medical Association of Georgia (“MAG”) filed a brief in each of the appeals, to support the physicians’ right to rely on the medical staff bylaws. The brief urged the Court of Appeals to affirm the trial court’s discretion to maintain the status quo while the suits were pending. In addition to joining the brief with MAG, the Litigation Center awarded a modest financial grant to the ten affiliate medical staff cardiologists.

Georgia Court of Appeal brief of the active staff cardiologist injunction

Georgia Court of Appeal brief of the affiliate staff cardiologist injunction