



Tania Heller, MD (In re Daiquan Evans; Cir. Ct. for Montgomery Cnty., Md.)

Topics Covered: Physician-Patient Relationship

Outcome: Favorable

Issue

The issue in this case was whether a physician can be ordered by a court of law to provide medical services to a patient, absent an emergency.

AMA Interest

The AMA believes that a physician, in the provision of appropriate patient care, should be free to choose whom to serve and the environment in which to provide medical care.

Case Summary

A Special Counsel for Montgomery County, Maryland asked the Juvenile Court to order Dr. Tania Heller to provide medical weight loss services for a 400 pound 17 year old boy. Dr. Heller objected to the appointment, but the court nevertheless ordered her to perform the requested services.

Dr. Heller then filed a motion for reconsideration and brought the matter to the attention of MedChi, the Maryland State Medical Society. After further consideration and consultation, Dr. Heller's attorney sent a letter to the regular County Attorney. The letter indicated that, without having met and examined the boy, she was unable to determine if her services would actually help him. In response to the letter, the County Attorney advised Dr. Heller that the Department of Health and Human Services had changed its mind and no longer wanted Dr. Heller to perform medical services on the boy. The court then vacated the order and dismissed Dr. Heller.

Litigation Center Involvement

The Litigation Center made a monetary contribution to MedChi, which contributed toward Dr. Heller's legal expenses.