



In Re: Breast Implant Product Liability Litigation, 331 S.C., 540, 503 S.E.2d 445 (1998)

Topics Covered: Abusive Litigation Against Physicians

Outcome: Very Favorable

Issue

The issue in this case was whether physicians could be held strictly liable under a products liability theory for implanting defective medical products or devices in the course of treating their patients.

AMA Interest

The AMA seeks to prevent abusive litigation against physicians.

Case Summary and Litigation Center Involvement

amicus curiae brief in the South Carolina Supreme Court in connection with consolidated products liability cases involving breast implants. Amici challenged a lower court finding that physicians and institutional health care providers are sellers of materials and devices used in the provision of health care services and, therefore, may be held strictly liable for medical product defects.

The Supreme Court ruled consistently with the Litigation Center position.