



City of Cookeville v. Humphrey, 126 S.W.3d 897 (Tenn. S. Ct. 2004)

Topics Covered: Hospitals

Outcome: Very Unfavorable

Issue

The issue in this case was whether a publicly owned hospital in Tennessee had the right to enter into an exclusive contract for provision of its radiology services.

AMA Interest

The AMA opposes the economic credentialing of physicians.

Case Summary

Previously, publicly owned hospitals in Tennessee had to allow staff privileges to all professionally qualified physicians. Based on a statutory amendment, the Cookeville Regional Medical Center contended that the law had changed and that public hospitals could now consider economic factors in credentialing physicians. Both the trial court and the Tennessee Court of Appeals agreed with the hospital.

The Tennessee Supreme Court affirmed, holding that the statute permitted the hospital to close its radiology staff by means of an exclusive provider agreement, that the hospital's decision to do so did not violate the medical staff bylaws and that the radiologist defendants were not entitled to an evidentiary hearing.

Litigation Center Involvement

The Litigation Center, the Tennessee Medical Association, the Putnam County [Tennessee] Medical Society, and the American College of Radiology filed an *amicus curiae* brief on behalf of the radiologists who had lost their staff privileges.

Supreme Court of Tennessee brief