



# O'Byrne v. Santa Monica-UCLA Medical Center, 114 Cal.Rptr.2d 575 (Cal. Ct. App. 2001)

Topics Covered: Medical Staff, Hospitals

## **Outcome: Very Unfavorable**

### **Issue**

The issue in this case was whether medical staff bylaws created a contractual relationship between the medical staff and the hospital at which the staff members practiced.

### **AMA Interest**

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

### **Case Summary**

Dr. O'Byrne sued Santa Monica-UCLA Medical Center, where he held medical staff privileges. He alleged breach of contract, breach of fiduciary duty and intentional interference with his practice of medicine. After the trial court granted summary judgment in the hospital's favor, Dr. O'Byrne appealed, arguing that triable issues of material fact existed on his three claims.

The California Court of Appeal ruled that the medical staff bylaws did not in and of themselves constitute a contract between a member of the medical staff and the hospital. The court further held that a hospital's governing body has a fiduciary duty to the hospital's shareholders and/or the public but not to a physician on staff. Finally, the court found no intentional interference with Dr. O'Byrne's practice of his profession since the hospital had taken no action to prevent Dr. O'Byrne from practicing at any other hospital in the area.

### **Litigation Center Involvement**

The Litigation Center joined in the California Medical Association's request of the California Supreme Court to "depublish" the decision by the Court of Appeal, but that request was denied.