



Yancey v. Weis, Hardten and American Academy of Ophthalmology (Hennepin Cty., Minn.)

Topics Covered: Expert Witnesses

Outcome: Very Favorable

Issue

The issue in this case was whether a medical society could discipline one of its members for testifying falsely as an expert witness.

AMA Interest

The AMA supports the right of medical associations to set standards for honest expert testimony by physicians and to sanction those members who violate these standards.

Case Summary

The American Academy of Ophthalmology has adopted a code of ethics, under which a physician who provides false, deceptive or misleading testimony as a medical expert may be subject to disciplinary sanctions. Dr. Charles Yancey, an AAO member, received notice of an ethical investigation based on a complaint filed by Drs. Weis and Hardten after he testified as an expert in a medical malpractice suit. Dr. Yancey sued AAO and Dr. Weis and Dr. Hardten for defamation, interference with business opportunities, and witness tampering.

On Feb. 21, 2008, the court granted AAO's motion for summary judgment.

Litigation Center Involvement

The Litigation Center assisted AAO with technical legal support.