



Cook Children’s Medical Center v. T.L. (Tex. S. Ct.; S. Ct.)

Topics Covered: Abusive Litigation Against Physicians, Ethics

Outcome: Unfavorable

Issue

The issue in this case was whether physicians and hospitals who follow the provisions of the Texas Advance Directives Act (TADA) are considered “state actors” and thus may be liable for damages under 42 U.S.C. § 1983, a federal civil rights law.

AMA Interest

The AMA opposes abusive lawsuits against physicians. Further, the AMA believes that physicians should not be held liable if they practice medicine in accordance with ethical standards.

Case Summary

Tinslee Lewis was born prematurely at Cook Children’s Medical Center in Fort Worth, Texas, with a congenital heart defect and other severe health problems. She lives on artificial life support, and her condition is terminal. In late 2019, Tinslee’s physicians recommended that she be removed from life support. Lewis’s family, however, insisted that she endure aggressive intervention that will prolong her life and pain, a course her medical team felt was “not medically, ethically, or morally appropriate.” The physicians and the hospital complied with the procedural requirements of TADA, including consultation with an ethics committee.

The Lewis family filed a lawsuit, which challenged the constitutionality of TADA and sought a temporary injunction to block the withdrawal of Tinslee’s care. After an evidentiary hearing, the district court denied the injunction request.

The family appealed to the Texas Court of Appeals, which, by a 2-1 decision, reversed the district court and held that physicians and other medical professionals who comply with the provisions of TADA are “state actors” and as such can be held liable for violating federal civil rights protections under 42 U.S.C. § 1983. Cook Children’s Medical Center petitioned both the Texas Supreme Court and the United States Supreme Court to review the decision, but both petitions were denied.

Litigation Center Involvement

The Litigation Center joined with the Texas Medical Association and other organizations in *amicus* briefs to the Texas Supreme Court and the United States Supreme Court to support the physicians and the hospital.

United States Supreme Court Brief

Texas Supreme Court Brief