



Seattle Children’s Hospital v. King County, 483 P.3d 785 (Wash. Ct. App. 2020)

Topics Covered: Professional Liability, Hospitals

Outcome: Unfavorable

Issue

The issue in this case was whether documents prepared according to a hospital’s quality improvement committee qualify for protection from production under Washington’s Public Records Act (PRA).

AMA Interest

AMA policy opposes production of quality improvement materials in the litigation process.

Case Summary

In the summer of 2018 and in May 2019, Seattle Children’s Hospital determined that some of its patients had developed aspergillus surgical site infections after having surgery at its main campus. In response to these incidents, the hospital initiated an investigation through its quality improvement committee and consulted with outside experts on its investigative and corrective measures. Multiple media organizations and law firms requested the State Department of Health (DOH) and King County to produce the records related to the aspergillus infections under the PRA.

King County and the DOH notified the hospital of the PRA requests, and the hospital sued to prevent DOH disclosure. However, the trial court ruled against the hospital. The hospital appealed, but the Court of Appeals affirmed the trial court denial of the restraining order.

Litigation Center Involvement

The Litigation Center joined with the Washington State Medical Association and the Washington Hospital Association in an *amicus* brief to the Washington Court of Appeals. The brief supported the hospital.

Washington Court of Appeals Brief