

Won an appeal argued before the Colorado Supreme Court challenging a trial court's order to submit Quality Management Privileged (QMP) materials relating to an incident at issue in a medical malpractice trial. The appellate decision is significant, as the QMP designation allows hospitals and healthcare providers to assess and innovate following critical incidents without concern that their discussions will be discovered.

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In a position joined by numerous *amici curiae* briefs, WTO lawyers prevailed before the Colorado Supreme Court in an appeal that affirms healthcare providers' rights to free and frank discussion following critical incidents. The Quality Management Privileged designation is a cornerstone of the medical community's efforts to continually improve and learn from recent and past experiences.

In this victory, WTO demonstrated to the Court that our client was at all times compliant with and licensed by the Colorado Department of Public Health and Environment (CDPHE) and that, despite the plaintiff's claims to the

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contrary, our client had in place a CDPHE-approved QMP plan at the time of the incident. The decision additionally reinforces the generally accepted standard that the CDPHE, not a trial court, approves and regulates QMP plans.

Kevin J. Kuhn
Partner

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