

Supreme court rules patient safety data subject to litigation

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(HealthDay)—The Supreme Court of Florida has reversed a District

Court of Appeal decision deeming information related to patient safety unprotected from litigation discovery, according to a report published from the American Medical Association.

In the *Charles v. Southern Baptist Hospital of Florida* case, the hospital was ordered to produce medical documents that were being used for [patient safety](#) and [quality improvement](#) efforts. A Florida appeals court overturned the court's decision, upholding protection of medical information used for patient safety efforts, based on the federal Patient Safety and Quality Improvement Act (PSQIA) of 2005.

The PSQIA allows physicians and hospitals to share information about safety issues and incidents through a patient safety organization. Under the law, the confidentiality of these data were protected unless requested by a state administrative agency, in order to encourage information sharing without the fear that this [information](#) could be used against health professionals in a medical liability case.

The report notes that "despite the need for protections, the Supreme Court of Florida has reversed the [district court](#)'s decision concluding that 'a health care provider or facility ... cannot shield documents not privileged under state law or the state constitution by virtue of its unilateral decision of where to place the documents under the voluntary reporting system created by the [PSQIA].'"

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