



Federal Court Rules in Favor of Parrish Medical Center, Against Seven Oncologists

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Federal Court Rules in Favor of Parrish Medical Center, Against Seven Oncologists Who Sought Injunction to Restore Hospital Practice Privileges

TITUSVILLE, FLA. (February 8, 2019)—A federal judge has ruled in favor of Parrish Medical Center (PMC) and against seven oncologists who sought an injunction to restore their privileges to practice at the Titusville hospital.

The seven physicians—Germaine Blaine, Cynthia Bryant, Juan Castro, Ashish Dalal, Firas Muwalla, Brendan Prendergast, and Richard Sprawls, had sought a preliminary injunction against PMC, claiming their due process rights had been denied and that PMC's bylaws were breached. □

The court found that neither situation had occurred and denied the physicians' request. The ruling was issued Feb. 4, 2019, by U.S. District Judge Roy B. Dalton, Jr. The dispute centered on the physicians' refusal to provide patient care data to PMC.

Having received what the court said was a "full panoply of due process protections," the seven physicians' privileges were not renewed by PMC due to the physicians' consistent failure to provide PMC with essential patient care data.

The court noted that "...PMC found that the Plaintiffs' failure to comply with PMC's request for patient data hindered the cancer program." This failure constituted "relevant considerations" for PMC.

The court cited the findings by the PMC Medical Staff Ad Hoc Committee that examined the physicians' failure to turn over the requested patient data.

The Court's Order cited that "the Ad Hoc Committee found that the Medical Executive Committee could rightfully recommend denial of Plaintiffs' reappointment applications," and that such "...decision could rightfully be upheld following a hearing before the Ad Hoc Committee, a review by the CEO, and ultimate disposition by the Board. And at this stage, the Court finds no fault in this course of action—rather, the Bylaws contemplate denial of reappointment on such grounds

so long as the reappointment process is followed.”

The court also noted that, “Each reviewing body at PMC found that Plaintiffs’ failure to comply with PMC’s request for patient data hindered the cancer program and the delivery of quality of patient care and could cause the loss of accreditation in the future,” the court said.

The court’s decision validated the actions taken to not renew the physicians’ privileges, said Joseph Zumpano of Zumpano Patricios the Miami, Florida-based firm representing PMC.

“The court found that PMC’s board of directors, and administration did the right things, the right way, according to policies, bylaws, and the law.”

PMC has Brevard County’s longest continually accredited program by the American College of Surgeons Commission on Cancer (CoC). First accredited in 1989, PMC’s is one of only two CoC-recognized programs in Brevard County.

The federal district court order can be read here: https://ecf.flmd.uscourts.gov/cgi-bin/show_public_doc?2018-00487-94-6-cv

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About Parrish Medical Center

Parrish Medical Center (PMC), a Parrish Healthcare integrated care partner, is located at 951 N. Washington Ave., Titusville, Florida. The 210-bed, not-for-profit, public medical center has served Brevard County for more than 60 years. PMC is the first in the nation to be Integrated Care certified by The Joint Commission and is nationally recognized as One of America’s Finest Healing Environments®. PMC maintains top-tier national rankings for clinical outcomes, safety and patients’ experiences according to CMS, The SafeCare Group, The LeapFrog Group, The National Patient Safety Movement Foundation and The Joint Commission. PMC is also nationally recognized among the best places to work in healthcare. For more information, visit www.parrishmed.com.

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