

'Nursing Life Care Plan is Hearsay' under Sanchez argues Defense

Plaintiff and Defense firms will either need to stipulate as to the admissibility of hearsay evidence or be prepared to bring evidence that is Sanchez Proof.

SANTA BARBARA, CA, UNITED STATES, March 21, 2019 /EINPresswire.com/ -- On March 11, 2019 Defense attorney Lawrence E. Wayte filed a Brief in Rosa Brito-Mojica v. Feng and Orthopedic and Spine Institute moving to exclude evidence and testimony detailed in the life care plan of Barbara Greenfield a Registered Nurse, who is certified in Nursing Life Care Plans. The opinions included in the life care plan related to the 'medical diagnosis, medical treatment plans, including surgeries, the frequency and duration of medical treatment and the anticipated cost of medical services.'

Sanchez held that an expert could 'rely on and cite background information accepted in his or her field of expertise, as well as an expert's ability to rely on and tell the jury in general terms that he or she relied upon hearsay evidence'.

Mr. Wayte argued in his brief that Ms. Greenfield is 'required to rely on hearsay in the form of medical records, doctor's reports, doctor depositions, along with a number of other hearsay sources simply to come to the opinions she had detailed in her life care plan' and therefore, the holding under Sanchez, the life care plan and Ms. Greenfield's testimony is inadmissible hearsay. Mr. Wayte argued that the nine different medical diagnoses was 'clearly...not within her personal knowledge and does not fall within her field of expertise' and should be excluded. He also argued that the cost of future care was outside of her expertise and hearsay evidence of cost of care should also be excluded.

Plaintiff and Defense firms will either need to Stipulate as to the admissibility of this 'hearsay' evidence or be prepared to bring evidence that is [Sanchez Proof](#). Academic Physician Life Care Planning, LLC provides Sanchez Proof evidence as all opinions provided in its life care plans are supported by physicians and all cost of future care is provided by physicians with the experience to know the cost of required care.

Academic Physician Life Care Planning, LLC has Board Certified Physicians in Physical Medicine and Rehabilitation (PM&R), Plastic Surgery, Burn Care, Critical Care Medicine, Orthopedic Spine Surgery, Orthopedic Trauma, and Interventional Pain. Our physicians can testify to the medical necessity of future care and the cost of such care independently from their knowledge, skill, experience, and training.



Dr. Greg Vigna

Greg Vigna, MD, JD, a practicing physician in PM&R, a national pharmaceutical injury attorney, Certified Life Care Planner, and owner of Academic Physician Life Care Planning, LLC understands the challenges related to litigation cost of Sanchez Proof Life Care Plans and provides this service at no additional cost.

For more information, visit APlifecareplanning.com or call 800-761-9206.

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