

Texas Supreme Court Victory: Van Wey, Metzler & Williams Wins Major Decision Holding Hospitals Accountable

In a landmark 7-2 decision, the Texas Supreme Court delivered a major victory for patient safety in [Jared Bush, Jr. v. Medical City Arlington](#)

DALLAS, TX, UNITED STATES, June 26, 2025 /EINPresswire.com/ -- In a landmark 7-2 decision, the

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This isn't just about one case, it's about protecting every patient who walks through the doors of a Texas hospital. When hospitals fail to put patient safety first, they should be held accountable.”

Founder, Kay Van Wey

Texas Supreme Court delivered a major victory for patient safety in [Jared Bush, Jr. v. Medical City Arlington](#) (Case No. 23-0460), reversing lower courts and affirming that hospitals can be held directly liable for failing to implement life-saving policies and protocols. This ruling ensures that Texas patients and their families have a clearer path to justice when preventable harm results from hospital negligence.

Case Background: A Preventable Tragedy

The case stemmed from the tragic death of a 35-year-old

woman who died of a pulmonary embolism after being misdiagnosed with a heart attack at Medical City Arlington. Despite her severe symptoms, the hospital lacked a "Triple Rule Out" protocol—a critical standardized procedure to evaluate high-risk conditions like pulmonary embolisms, aortic dissections, and heart attacks.

Her husband, representing their minor children, argued that the hospital's failure to adopt this protocol directly contributed to her death. After years of litigation—including two reversals by the Fort Worth Court of Appeals—the Texas Supreme Court ruled in favor of the plaintiffs, holding that the expert report sufficiently linked the hospital's policy failures to the patient's death.

Key Takeaways from the Ruling

Hospitals Must Prioritize Patient Safety Policies

The Court rejected narrow interpretations of hospital liability, emphasizing that hospitals have a

non-delegable duty to implement evidence-based protocols. Justice Huddle's majority opinion clarified that hospitals cannot hide behind physicians' independent judgment when administrative failures endanger patients.

Expert Reports Need Not Anticipate Every Defense

The Court criticized the appellate court for imposing an unfairly high bar on expert reports, reinforcing that plaintiffs are not required to refute every potential defense in preliminary filings. This ensures meritorious claims can proceed under Texas Civil Practice & Remedies Code § 74.351.

Corporate Practice of Medicine Doctrine does not Insulate Hospitals from Direct Liability

The Court made clear that hospital policies, standing orders, and protocols may guide treatment paths without mandating them or running afoul of the prohibition of the corporate practice of medicine.

What This Means for Texas Patients

For years, hospitals have avoided responsibility by arguing that physicians alone control patient outcomes. This ruling shatters that defense, establishing that:
Hospitals must adopt and enforce standardized care protocols.
Patients and families can challenge institutional medical negligence, not just individual errors.
Expert reports will be evaluated fairly, without impossible hurdles.

This win strengthens the legal tools available to patients and their attorneys, dismantling long-standing roadblocks designed to protect health systems and hospitals at the expense of patient safety.

More Than a Win—A Message

This ruling sends a strong message that patient safety is not optional, and accountability is not negotiable.

"This isn't just about one case. This is about protecting every patient who walks through the doors of a Texas hospital," said Kay Van Wey, founding partner. "When hospitals fail to put patient safety first, they should be held accountable. We're proud to have stood with this family from day one—and we'll do it again for the next."

At [Van Wey, Metzler & Williams](#), we've never been afraid to take on the system, and we are proud to have contributed to this pivotal victory. If you or a loved one has been harmed due to hospital negligence, this ruling strengthens your ability to seek justice. [Contact us](#) today for a consultation.

Kay Van Wey
Van Wey, Metzler & Williams
+1 214-329-1350
marketing@vwmwlaw.com
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