

Physician and Hospital Liability in Cases of
Medical Negligence: A Comment on
Professional Services, Inc. v. Agana

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Medical negligence is a special case because of the underlying public interest and health concern involved. The balance of maintaining a business with a vocational thrust is difficult as it is a magnet for liability.

This Comment examines the case of *Professional Services, Inc. v. Agana* in terms of physician and hospital liability when medical negligence arises. The Author examines the ruling and rationale of the Supreme Court to establish physician and hospital liability, as well as a survey of laws and jurisprudence, including pending legislation. Ultimately, she concludes that a hospital may be liable for the negligent acts of a physician under the doctrines of *respondeat superior*, agency by *estoppel*, and corporate responsibility.