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Doctor wins \$1.8M in hospital lawsuit

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A former obstetrician has been awarded \$1.8 million in compensatory damages in his lawsuit against Memorial Hospital Los Banos and Dr. Jason Mevi.

Dr. John Brannigan, 57, who practiced at the hospital from 2002 to 2004, claimed that the hospital retaliated against him after he complained to the state about unsafe practices in the labor and delivery area. Brannigan had claimed that there weren't enough anesthesiologists on staff or on call to deal with Caesarean sections.

"We have been completely vindicated," said Jeffrey Rager, Brannigan's attorney. "He was trying to improve a hospital that was in dire need of improvement."

Rager said Brannigan had gone to the California Department of Health Services, the agency that gives hospitals their license to practice, after trying to get the hospital to correct the problems in 2003 and 2004.

After an investigation of the hospital's labor and delivery area, the state agreed with Brannigan and told the hospital to correct the problem, which it did.

Brannigan said that after the state's action, staff at Memorial, including chief of staff Mevi, retaliated against him.

"They said he had disruptive behavior and poor clinical performance," Rager said, adding that there had been no complaints against Brannigan until then. The California Medical Board is investigating the complaints the hospital made against Brannigan.

The jury in the trial, which lasted two weeks under Merced County Superior Court Judge Hugh Flanagan, found that the hospital had retaliated against Brannigan, causing him to lose his license.

Rager said that after the hospital complained about Brannigan, the doctor tried to get a job in a Maine hospital, but Memorial gave him a bad review.

"That bad reference has continued to follow him through his career," Rager said.

Brannigan lives in Oakdale and is not working as a physician, Rager said, adding that he is trying to get his license back.

Memorial Hospital's marketing coordinator Diane Hambley said the hospital respects the time and effort the jury has put into the case and doesn't want to interfere with jury deliberations.

The jury will reconvene next week to address whether punitive damages should be awarded to Brannigan. The \$1.8 million was compensatory for Brannigan's lost wages.

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