

RESOLUTION 71 - 05A

Title: Unfair Subpoena Petitions
Introduced by: Domenic R. Federico, MD, for the Kent County Delegation
Original Author: Patrick J. Droste, MD
Referred to: Reference Committee C
House Action: Approved

Whereas, physician schedules are demanding and not readily changed or canceled on short notice for court appearances, and

Whereas, many times physicians are subpoenaed to court without preliminary communication between the physician and the petitioning attorneys, and

Whereas, in many cases video depositions could substitute for in-court appearances; therefore be it

RESOLVED: That MSMS encourage legal entities to: 1) speak directly with the physician before sending a subpoena for a court appearance with the physician regarding the necessity of court appearance, and 2) provide the opportunity for consideration of a video deposition or non-video deposition to be considered before demanding a court appearance.

WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE