Title page

It’s your gravel

Dutta v. St. Francis Regional Med. Center., 850 P.2d 928 (Kan. Ct. App. 1993) represents the case on employment contract dispute. The plaintiff was the radiologist who claimed that Francis Regional Med Center didn’t hear him which was against company’s bylaws. The dispute reflects negligence in employment contract. Malfeasance describes the act of Francis Regional Med Center was negligent against Dr. Dutta. Malfeasance states preforming unlawful or improper act. Francis institute had committed breach of employment contract which was unlawful. Offering position to Dr. Tan reflects malfeasance because the hospital failed to fulfill legal bindings with Dutta. Negligent behavior of Francis center was assessed on the basis of damages and denial of due process hearing. The court concluded the case in favor of Dutta stating that the hospital violated employment contract. Radiologist Dutta was awarded $552,756 as damages for compensating him loss of income.

Kirk v. Mercy Hosp. Tri-County, 851 S.W.2d 617 (Mo. Ct. App. 1993) represents negligent role of the nurse. Kirk was a nurse at Mercy Hospital who was appointed full time as a charge nurse and assigned the duty of supervising nurses in the ward during her shift. The plaintiff ordered immediate orders for antibiotics for Debbie who was diagnosed with toxic shock syndrome (Pozgar, 2019). The act of Kirk was to save the patient because any delay could have resulted in death. The hospital terminated the nurse which reflects malfeasance (Kim, 1993). The act of the hospital was unlawful because the nurse can use her skills for acting to prevent patient’s illness. The court defined ‘public policy’ which states that a healthcare provider can act to prevent injury of the patient. The act of terminating Kirk was improper and unlawful because she had acted to save the life of Debbie.

References

Kim, P. T. (1993). BARGAINING WITH IMPERFECT INFORMATION:A STUDY OF WORKER PERCEPTIONS OF LEGALPROTECTION IN AN AT-WILL WORLD. *Cornell Law REview* *, 83* (105).

Pozgar, G. D. (2019). *Legal Aspects of Health CareAdministration.* Jones & Bartlett Learning.

Tammelleo, A. D. (1993). Nurse refuses to "stay out of it": termination. Case in point: Kirk v. Mercy Hosp. Tri-County 851 S.W. 2d 617--MO (1993). *Regan Rep Nurs Law* *, 34* (2).