

Negligence: Medical Malpractice	
<ul> <li>Requirements for Negligence</li> <li>Duty</li> <li>Breach</li> <li>Causation</li> <li>Damages</li> </ul>	
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Duty	V 1550 CO.
When is Duty Owed?  No General Duty Always Owed  Common Law: Reasonably Foreseeable Plaintiff  Statutory (Emergency Medical Treatment and Active Labor Act)  What Duty is Owed?  Learned Hand Rule: Is B < P*L  Medical Setting: What would Reasonable Physicians in Same Circumstances do?  What goes into this?	
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Breach	57
Failure to take Reasonal     How do you Prove?     Expert Testimony     Negligence per se     Serious Reportable Events     Res Ipsa Loquitur	ole Care
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Causation	
<ul> <li>Actual: But-For</li> <li>Proximate: Foreseeable</li> <li>Proof? <ul> <li>Expert Testimony</li> <li>Loss of Chance: Substantial Probability?</li> </ul> </li> </ul>	

