



Bennett Jones

Health Law

Canada's highly regulated health care system involves multiple stakeholders and is often a contentious, controversial environment in which to operate. The medical community is acutely aware of this and looks for ways to practise medicine safely despite circumstances and finances that often result in competing priorities and a need for compromise. And where compromise fails, litigation often follows.

Bennett Jones covers all aspects of health law, advising professional associations, health-care institutions and the medical professions on a variety of claims alleging wrongful death, personal injury, professional negligence and professional misconduct. Having acted for the Canadian Medical Protective Association, as well as health-care professionals, we bring decades of experience and knowledge of medical practice and procedure to our work. Our clients include hospitals, medical service providers and health regions. In addition, we represent both plaintiffs and defendants in personal injury matters.

Select Experience

- **DrFirst**, a software solutions provider that provides real-time access to patient data for physicians and healthcare providers, navigate the Canadian regulatory environment in its entry into the Canadian market.
- Appellant/defence counsel, in an appeal to the Alberta Court of Appeal, which successfully overturned the trial judgement on issues of informed consent in a medical malpractice case. *Martin v. Findlay*, [2008] A.J. No. 462 (C.A.).
- Defendant physicians, in two medical malpractice trials involving allegations of negligence relating to the management of shoulder dystocia during childbirth. *Skeels Estate v. Iwashkiw*, [2006] A.J. No. 666 (Q.B.) and *Nessler v. Colliton*, [2008] A.J. No. 290 (Q.B.).
- Successfully brought a non-suit motion in a medical malpractice trial relating to a radical cystectomy, urethrectomy and incidental appendectomy. *Kainth v Capital Health Authority*, [2006] A.J. No. 446 (Q.B.)

Recent Recognitions

- **The Canadian Legal Lexpert Directory**
Consistently recommended, Medical Negligence, Calgary
Consistently recommended, Medical Negligence, Edmonton
- **Chambers Canada**
Ranked, Healthcare

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