

Texas Jurisprudence Exam

Can a patient successfully sue a doctor if there is no physician-patient relationship? –

ANSWER **No**

If there is no prior physician-patient relationship, are you legally obliged to respond to a call from a patient for treatment? –

ANSWER **No**

Does being on call give rise to a physician-patient relationship? –

ANSWER **No**

How can one terminate a physician-patient relationship, without abandonment if there is ongoing treatment? –

ANSWER **30 days written notice; must provide for emergency**

Does a physician's duty extend to the unborn child or potential victims of an ill patient? –

ANSWER **Yes**

What is "proximate cause"? –

ANSWER **Prove that negligence caused harm and that the cause was not too remote; what is required to hold a defendant liable in a civil lawsuit**

What are the two components of proximate cause? –

ANSWER **Cause-in-fact (but-for test) and foreseeability**

Does an expert witness have to be actively practicing medicine? –

ANSWER **Yes**

Does an expert witness have to know standards of care? –

ANSWER **Yes**

Does an expert witness have to have enough training to express an opinion on whether standard of care was provided? –

ANSWER **Yes**

Does an expert witness have to be board certified? –

ANSWER **No, board certified or equivalent**

Mississippi Jurisprudence Exam Study Guide

S Ben Porath



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