Avera Marshall lawsuit timeline:

- **January 2012** – Avera Marshall administration approves new medical staff bylaws without input from the medical staff; medical staff sues

- **February 2012** – The MMA’s Executive Committee votes to support the Avera Marshall medical staff; soon after, the AMA’s Litigation Center agrees to join the MMA in support of the lawsuit

- **March 2012** – The MMA and AMA ask permission to file an amicus (friend-of-the-court) brief in support of the medical staff

- **April 2012** – Lyon County District Court denies the MMA and AMA’s amicus brief request

- **July 2012** – Lyon County District Court rules that the medical staff is not an independent legal entity that could sue or be sued by the hospital

- **September 2012** – Lyon County District Court rules that the medical staff bylaws do not constitute a contract between the staff and the hospital and that the hospital can, in effect, unilaterally change the bylaws

- **November 2012** – The medical staff appeals the district court’s ruling

- **December 2012** – The MMA and AMA file a request seeking permission to provide an amicus brief to the Minnesota Court of Appeals

- **May 2013** – Court of Appeals hears oral arguments on case

- **July 2013** – Court of Appeals rules against medical staff

- **October 2013** – Minnesota Supreme Court agrees to hear case

- **December 31, 2014** – Minnesota Supreme Court rules that a medical staff is a legal entity that may bring suit on behalf of its member physicians, and that the bylaws agreed to by a hospital and its medical staff constitute a contract to which both parties must adhere.

MMA in Action

Janet Silversmith, MMA director of health policy, discussed accountable care organizations with residents and faculty from the St. Cloud Family Medicine Residency Program in early January.

Eric Dick, MMA manager of state legislative affairs, traveled to St. Cloud Ear, Nose and Throat in mid-January to offer an update on the 2015 legislative session. Dick shared his take on the political “lay of the land” at the Capitol and presented the MMA’s legislative priorities for the session.

In mid-December, Dennis Kelly, chief executive of the MMA Foundation, Ray Christensen, MD, an AMA delegate for the MMA and assistant dean at the University of Minnesota-Duluth Medical School, and Brian Strub, MMA manager of physician outreach, presented John Lundy, a reporter with the Duluth News Tribune, with the MMA Foundation’s Excellence in Medical Journalism award for an article addressing the primary care physician shortage in the Duluth area.

In January, both the Twin Cities Medical Society (TCMS) and the Zumbro Valley Medical Society (ZVMS) held their annual meetings. TCMS appointed Kenneth Kephart, MD, as its president for 2015. Dave Thorson, MD, MMA president-elect, and Terry Ruane, MMA director of membership, marketing and communications, attended. ZVMS appointed Dan Maddox, MD, as its president. Ruane, Kelly and Donald Jacobs, MD, MMA president, attended.