

set forth in Florida Statute § 766.102 (1995). The court also held that “when the prevailing standard of care creates a duty that is obviously for the benefit of certain identified third parties and the physician knows of the existence of those third parties, then the physician’s duty runs to those third parties.”

The court also declared that there is no duty to warn the children if the warning is conveyed to the parent.

Holding that the legal duties applicable to physicians and other health care providers will be determined after treatment of the patient in a “battle of the experts” will substantially increase the unpredictability of medical malpractice claims.

Physicians and health care institutions that employ physicians should read this opinion closely and give consideration to those areas of their practice that may be affected. It is my sense that if any medical evidence indicates a potential for

genetic transferability of the condition for which the physician is treating the patient, then that information must be conveyed to the patient and documented in the patient’s medical record.

James E. Thomison
Brown Clark & Walters, P.A.
Sarasota, Florida

Erratum

Two errors in Susan Wolf’s article “Beyond ‘Genetic Discrimination’: Toward the Broader Harm of Geneticism,” which appears in the Winter 1995 issue of the journal, were brought to the editors’ attention. On page 346, column 2, paragraph 1, the sentence should read: “Even in the protected category of carriers....” On page 348, column 2, paragraph 1, the sentence should read: “even if using genetic tests or information to harm....” The editors regret these oversights.

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