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24 You would agree with me that a reasonable
25 and responsible HMO should be concerned with the
1 health and safety of its insured members. Correct?

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3 A. Broadly speaking, correct.

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5 Q. And you would agree with me that a
6 reasonable and responsible HMO should not do
7 anything that would ham the health and safety of
8 its insured members. Right?

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10 A. They should not take a
11 deliberate action to do that.

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7 So as a general statement. as a general
8 agreement. you would agree with me that a
9 reasonable and responsible HMO should not do
10 anything that would harm the health and safety of
11 its insured members. Right?

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14 Q. Yes?

15 A. Generally speaking, yes.

16 Q. Okay. And you would agree with me that a
17 reasonable and responsible HMO, if they know or
18 should know that one of their health care provider
19 members are treating insured member patients in an
20 unreasonably unsafe manner that could cause harm to
21 the health and/or safety of those insured members,
22 the HMO should take reasonable steps to protect the
23 health and safety of its insured members?

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25 A. If they had positive
1 knowledge of something that potentially was
2 occurring then yes.

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4 Q. So you would agree with that statement?

5 A. You would expect them to take reasonable
6 steps.

7 Q. And you would agree with me that a
8 reasonable and responsible HMO, if they know or
9 should know that one of their health care provider
10 members are practicing in an unreasonably unsafe
11 manner that is below the reasonable standard of
12 care, the HMO should take reasonable steps to
13 protect its insured members from this substandard
14 care?

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17 Q. Correct?

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19 A. The issue with this question
20 and the prior one, which I tried to clarify by
21 saying having positive knowledge, is when you say
22 knows or should know. Should know is one of those
23 eye of the beholder things. That's something that
24 lawsuits are certainly filed on that topic