

Heard in Texas: *In today's volatile market, value investing may finally be a good strategy, Page T2.*

TEXAS JOURNAL

Face Paint: *Two sisters create a cottage industry hand-decorating cell-phone face plates, Page T2.*



Medical Verdict

A Kingwood hospital and two of its doctors were ordered to pay \$40.6 million by a Harris County jury in the first known verdict in the state finding a hospital malicious for retaining a physician on its staff.

In 1998, a Kingwood man had back surgery at the Kingwood Medical Center, now owned by Columbia/HCA Healthcare Corp. of Nashville, Tenn. The man was left brain-damaged and unable to care for himself. Evidence in the trial indicated his surgeon had a history of drug-abuse problems and had 11 lawsuits filed against him for medical malpractice, including two for operating on the wrong leg. And the hospital knew about some of these problems, other evidence showed.

The case is important because it's the first known jury verdict since the Texas Supreme Court in 1997 found that for a patient to recover from a hospital for the action of its physicians, the patient had to show the hospital maliciously allowed the doctor to practice there. Before that case, plaintiffs attorneys merely had to meet the easier standard of showing the hospital was negligent.

Columbia/HCA spokeswoman Angela Pike in Houston says the hospital did nothing wrong and the company hasn't yet determined whether it will appeal.